Our Smiling Land: Government's Vision for the Protection and Use of Newfoundland and Labrador's Outdoor Resources

OUR VISION

Newfoundlanders and Labradorians love this land. The people of this Province have a deep and abiding affection for this rocky outcropping in the middle of the Atlantic Ocean. We have forged a passionate relationship with the storm-tossed seas which batter our shores, the rich coves and bays of our roots, the dense forests, verdant fields, cloud-topped mountains, and berry-laden barrens and bogs that form the tapestry of our land.

We live on the land and with the land. It is the foundation of our culture, tradition and heritage. It underpins who we are as a people.

We are continuing today the traditions of our forebears. Those who first settled this land made use of it to live and prosper. This history lives in our present.

We fish the waters, hunt the game in our forests, harvest the resources, sow the fields and savour the succulent, sweet fruit of the land. We enjoy the land. We hike wilderness trails, camp in lush open spaces, and swim in the frigid waters of our lakes and ponds.

Newfoundlanders and Labradorians are wealthier in outdoor resources than all other Canadians. We have easy access to all the natural resources this Province has to offer. Newfoundland and Labrador has more public land than any other province in the country. It is a privilege all residents cherish. It is a privilege Government is committed to preserving, now and for future generations.

OUR MANDATE

The Committee of Ministers and Members of the House of Assembly on the Use of Outdoor Resources traveled throughout Newfoundland and Labrador in the fall of 1998. Chaired by the Minister of Development and Rural Renewal, the Committee consulted with Newfoundlanders and Labradorians on the state of our outdoor resources. The Ministers and MHAs heard from hundreds of residents, received numerous presentations and listened to all viewpoints.

The Committee was comprised of the Ministers of Development and Rural Renewal; Tourism, Culture and Recreation; Government Services and Lands; Environment and Labour; and, Forest Resources and Agrifoods; and MHAs for Windsor-Springdale (subsequently Cartwright-L'Anse au Clair), Topsail, and Humber East.

Their aim, on behalf of Government, was to hear concerns and build consensus on how to protect and preserve our outdoor resources while ensuring the continued enjoyment and benefit of the outdoors for all residents of the Province.

The task was complex and required a concentrated, thoughtful approach that examined fully the role of Government in protecting our legacy now and in the future. The Committee is to be commended for the care taken with this considerable responsibility.

OUR COMMITMENT

Government listened and responded. The uses and benefits of our outdoor resources are for everyone. Accordingly, Government affirms its commitment to ensuring that the common property nature of much of this Province's land will be preserved and that the use of the outdoors will remain an essential part of our heritage and lifestyle, and presents this policy framework.

Declaration of Rights of Newfoundlanders and Labradorians to the Use of the Outdoors

The Government of Newfoundland and Labrador declares and affirms that it holds the wildlife, fish, game, wild foods and other natural resources of this province in trust for all citizens of Newfoundland and Labrador to enjoy, and that it will ensure that the legacy of these resources will remain for subsequent generations.

The Government of Newfoundland and Labrador hereby declares and affirms the traditional privileges and freedoms of hunting, angling and the gathering of wild foods by the citizens of this Province. Government further recognizes that citizens have enjoyed and will continue to enjoy the privileges and freedoms of equal and common access to wildlife, fish game, wildfoods and other outdoor resources, subject to proper resource management.

The Government of Newfoundland and Labrador hereby declares and affirms access to public lands and water bodies for recreational use including hunting, angling and the gathering of wild foods and that for these purposes the Province's citizens will have clear and open access to a buffer zone around lakes, ponds and rivers.

The Government of Newfoundland and Labrador hereby declares and affirms that lakes, rivers, and ponds are public resources.

The Government of Newfoundland and Labrador hereby declares and affirms that the management of the Province's outdoor resources will be a fair and open process.

The Government of Newfoundland and Labrador hereby declares and affirms that the privileges and freedoms contained in this declaration are subject to the laws of Newfoundland and Labrador and Canada and to laws for the purpose of conservation and proper management of all wildlife, fish, game, wild foods and other natural resources.

OUR POLICY

Government will establish a Ministerial Council on the Use of Outdoor Resources. The Council will be chaired by the Minister of Development and Rural Renewal and include the Ministers of Forest Resources and Agrifoods; Tourism, Culture and Recreation; Government Services and Lands; and, Environment and Labour. The Council will hold public consultations and will set up working groups to study specific issues where it deems necessary.

Government will direct the Departments of Forest Resources and Agrifoods and Tourism Culture and Recreation, given the demonstrated need for greater public awareness of outdoor resource issues, to prepare a public awareness campaign related to outdoor activities that will include the following initiatives:

1. the development of a web site related to outdoor recreational and hunting issues;
2. inclusion of an outdoor rights section in the annual Hunting Guide; and,
3. undertake a review of existing public awareness programs and implement measures that will increase the general public's awareness.

Government will continue its commitment to sustainable management of inland fisheries resources on the basis of adequate science and appropriate ecological principles. It recognizes that watershed management initiatives must respect these and balance resident recreational opportunities with economic opportunities.

Government will ensure that water bodies are not privatized and that all residents of the Province have equal access to them.

Government will retain decision-making authority, including in respect of licences and fees, in the area of watershed management. In order to ensure that the interests of all residents of the Province are protected, it will not delegate its decision making power to stakeholder groups and communities.

Government recognizes that different river systems are best managed according to their particular requirements.

Government will require only one provincial license for salmon angling. There will be no river specific licence fees.

Government will seek public input on proposed watershed management plans and programs. No organization wishing to participate in the management process will be denied the opportunity to do so, provided it is willing to act in accordance with the ground rules established for the conduct of affairs. Each management group will be required to develop and adopt a consultation plan to ensure that all interested groups have the opportunity to provide input.

Government will not concur with authorization of any new Community Watershed Groups until the federal government concludes a Memorandum of Understanding with the provincial government clarifying the respective government roles. Items expected to be covered in a MOU include science, funding, enforcement and other related items.

Government will, through the Department of Forest Resources and Agrifoods, assess the structure of the Inland Fish and Wildlife Advisory Council, including options for appointing members and report back to Cabinet.

Government will, through the Department of Forest Resources and Agrifoods, examine current enforcement measures and will work towards increasing the level of cooperation between the different levels of government.

Government will evaluate its enforcement practices with the intent of increasing the effectiveness of enforcement efforts and will establish a unit of enforcement officers that would conduct random enforcement measures throughout the Province.

Government will strengthen regulation and enforcement of laws that prohibit the use of aircraft for hunting purposes.

Government will direct the Department of Forest Resources and Agrifoods to submit a proposal to Cabinet recommending a course of action regarding the current ban on the use of the .22 calibre rifle on the Island.

Government will not extend the winter hunt for big game.

Government will develop a more transparent and open policy on the approval of outfitting lodges.

Government will increase the buffer around waterways from 10 to 15 metres for new cottages and public access to waterways must be built into plans for new developments.

Government will proceed with the Natural Areas System Plan (NASP), subject to appropriate consultation.

Government will maintain its core network of 14 provincial parks, seven natural scenic attractions and the Newfoundland T'Railway, and will not lease any additional parks.

Government will amend the Historic Resources Act by the Fall of 1999 to make it illegal to remove fossils from sites found in the Province to ensure that fossil resources in the Province are not destroyed or looted.

Government will allow ATV use for the retrieval of big game with the appropriate regulations being drafted for the next big game hunting season. Restrictions should include: (i) that the ATV is not to be used in an unapproved area until the animal is quartered and tagged; (ii) that a maximum of five trips be allowed to retrieve the animal; and (iii) that no firearms be allowed in the possession of individuals transporting game. As well, a review will be conducted after two years.

Government will focus more attention on enforcing the ban on the use of ATVs including dirt bikes and four-wheel-drive vehicles in sensitive areas such as beaches and sand dunes.

Government will continue to aggressively pursue with the federal government improved science and assessments of the Province's salmon rivers, given the Constitutional responsibility of the federal government to manage salmon stocks.

Government will aggressively pursue with the federal government the development of an adequate plan for science and assessment of the Province's trout stocks, given the Constitutional responsibility of the federal government to manage trout stocks.

Government will, through the Department of Government Services and Lands, review its land use policy with the intention of placing a priority on developing land use plans for areas of high user conflict.

Government will review its overall hunting policy and regulations, including, but not limited to the following issues:
1. re-reinstating the big game shooting test; and,
2. possibly requiring non-Canadian citizens to use a guide when hunting small game.

Government will hold public consultations on the issue of on Sunday Hunting and consider whether: (i) to continue the existing ban; (ii) to allow Sunday Hunting for part of the year; or, (iii) to allow Sunday Hunting throughout the entire season.

Government will direct the Department of Tourism, Culture and Recreation to evaluate and report to Cabinet on issues related to the T'Railway. These include conflicting uses, the timing of trail development and trail safety.

Government will conduct further consultation regarding the possible introduction of a Conservation Stamp. Any funds raised under such a program would go strictly to conservation projects and be administered at arms-length from Government.

/

M95

VOLUME

VOLUME

I

Micromedia
ProQuest

20 Victoria Street
Toronto, Ontario M5C 2N8
Tel.: (416) 362-5211
Toll Free: 1-800-387-2689
Fax: (416) 362-6161
Email: info@micromedia.on.ca

Protecting the Legacy: Report of the Committee on the Use of Outdoor Resources
Volume 1: Results of the Public Consultation

Table of Contents

1.0 INTRODUCTION
1.1 Background
1.2 The Consultation Process
1.3 The Government Response
1.4 Report Format

2.0 PRINCIPLES
2.1 The Statement of Principles
2.2 Conservation and Sustainability
2.3 The Consistent Application of Principles
2.4 Privatization
2.5 An Outdoor Bill of Rights
2.6 Other Principles and Considerations

3.0 OUTDOOR USE AND ECONOMIC DEVELOPMENT
3.1 The Value of the Outdoors
3.2 The Value of Economic Development Initiatives
3.3 Striking a Balance

4.0 THE MANAGEMENT OF OUTDOOR USE
4.1 Introduction
4.2 Roles
4.3 Education
4.4 Consultation
4.5 Planning
4.6 Enforcement
4.7 Monitoring
4.8 Funding

5.0 OUTDOOR USE ISSUES
5.1 Introduction
5.2 Regulations, Licenses and Quotas
5.3 Winter and Sunday Hunting.
5.4 Sportfishing and Hunting Lodges
5.5 Parks and Reserves
5.6 All Terrain Vehicles, Snowmobiles and Seadoos
5.7 Other Issues

Appendices:

A1 Presentations
A2 Briefs Submitted

1.0 INTRODUCTION

1.1 Background

During 1998, a number of groups and individuals across Newfoundland and Labrador expressed concern about the Province's outdoor resources and policies and practices related to their management. The issues of concern included access to rivers, the leasing of parks to private companies, the use of ATVs to retrieve game, river specific licensing, watershed management, the construction of outfitters' lodges, salmon licenses and quotas, and the perceived privatization of the outdoors.

In response, the Government established a Committee of Ministers and Members of the House of Assembly to hold consultations and discuss these concerns directly with the people of the Province. This initiative was intended to solicit input on, and hopefully establish consensus, with respect to these issues. In particular, the Government was concerned to ensure that its legislation, policies and practices preserve access to the outdoors for all Newfoundlanders and Labradorians, while allowing other uses that support both recreational activities and economic development. This report, in two volumes, provides a summary and synthesis of these consultations and the Committee's recommendations.

1.2 The Consultation Process

The consultation sought to:

- hear from all individuals and groups with concerns about the protection of outdoor resources and the need to ensure their continued enjoyment and benefit for the citizens of the Province; and

- build a consensus on how to properly preserve access to the outdoors for the people of the Province, protect and preserve outdoor resources and, where appropriate, allow other legislated uses that support both recreational activities and economic development.

The consultation was undertaken by the Committee, chaired by Development and Rural Renewal Minister Beaton Tulk and included: Forest Resources and Agrifoods Minister Kevin Aylward: Tourism, Culture and Recreation Minister Sandra Kelly (subsequently Minister Charles Furey); Government Services and Lands Minister Ernest McLean; Environment and Labour Minister Oliver Langdon; Mr. Robert Mercer - M.H.A., Humber East; Mr. Graham Flight - M.H.A., Windsor-Springdale (subsequently Yvonne Jones - M.H.A. Cartwright, L'Anse au Claire); and Mr. Ralph Wiseman - M.H.A., Topsail.

The consultation process used three mechanisms whereby interested citizens could express their views:

- attending a public meeting;
- presenting a written brief; and
- completing the 'Your Views' section of the discussion paper.

The consultation process involved public meetings at 18 different locations across the Province, including 13 on the Island and five in Labrador. The first were held in Springdale and Harbour Breton on September 23, 1998, the last in Ferryland on October 19, 1998. In total, approximately 585 persons attended the hearings, ranging from a high of about 150 in Pasadena to a low of two in L'Anse au Clair. The average attendance per meeting was 33 persons.

Ninety (90) briefs or other written submissions (including the 'Your Views' sections of the discussion paper) were presented to the Committee. In addition, detailed summaries were prepared of the proceedings at the meetings. In total, these materials cover hundreds of pages, providing a

comprehensive review of outdoor use issues and the attitudes and opinions of Newfoundlanders and Labradorians with respect to them.

1.3 The Government Response

Recognizing the levels of concern and interest among stakeholder groups and the general public, the Committee has deliberated on the findings from the consultation. Specifically, the Committee on the Use of Outdoor Resources has reviewed the input received during the outdoor use consultation process and discussed at length the issues involved. This has led to the development of a series of conclusions and decisions that are summarized in Volume 2 of the report Committee Recommendations. They address many of the more important issues related to the use of outdoor resources and respond to many of the concerns expressed in briefs and presentations to the Committee.

However, not all of the issues and concerns can be addressed at this time. Many of them are complex and overlapping, and some are highly contentious. The Committee feels that this will require that Government subject them to further review and deliberation. There may also, in some cases, be a need for further consultation, scientific research or inter-governmental negotiation.

1.4 Report Format

The main sections of this volume of the report provide a synthesis of the issues discussed at the public hearings and in the briefs and other materials submitted to the Committee. They are based on hundreds of pages of briefs and other materials and seeks to present a relatively short and easily read summary which assisted the Committee. While the report makes reference to, and sometimes quotes from, particular submissions and presentations, this is not intended to indicate that these submissions or comments are more important than others. They have been selected because they are generally representative of the discussion in the meetings and briefs and contribute to the overall picture of public attitudes and concerns.

The rest of the material in this report discusses first, in Section 2.0, underlying Principles in the use of outdoor resources. The discussion paper 'Consultation Process on the Use of Outdoor Resources' begins with a statement of the Government's principles. This section reviews the thoughts expressed by speakers, and in briefs, respecting these and other principles which should guide our use and management of outdoor resources. Topics covered include the statement of principles, conservation and sustainability, the consistent application of principles, privatization, and an outdoor bill of rights.

This is followed, in Section 3.0, by discussion of the relationship between Outdoor Use and Economic Development, a major theme in briefs and presentations to the Committee. This includes consideration of the value of the outdoors, the value of economic development initiatives, and how we can strike a balance between economic and other interests.

Section 4.0 considers The Management of Outdoor Use, another important theme in the consultation. In the discussion paper, the Committee asked not only about management principles, but also the roles community groups should play in, and whether users should pay for, management. This section reviews the opinions expressed by speakers and in briefs with respect to the following management issues: roles; education; consultation; planning; enforcement; monitoring; and funding.

Section 5.0 discusses Outdoor Use Issues. It provides a review of a range of matters related to the effects and regulation of activity, with particular consideration given to input respecting: regulations, licenses and quotas; winter and Sunday hunting; sportfishing and hunting lodges; parks and reserves; and all

terrain vehicles, snowmobiles and seadoos.

Lastly, Volume 2: Committee Recommendations, describes the Committee's conclusions and recommendations with respect to the input received through this public consultation process. These recommendations address many of the more important issues related to the use of outdoor resources and respond to many of the concerns expressed in briefs and presentations to the Committee.

This report also includes appendices which provide background information about the consultation process.

2.0 PRINCIPLES

2.1 The Statement of Principles

The starting point for any discussion of the use of outdoor resources must be a consideration of underlying principles. In recognition of this, the discussion paper 'Consultation Process on the Use of Outdoor Resources' begins with a statement of those Government principles.

Statement of Principles

- Government believes, first and foremost, that our outdoor resources exist for the use and enjoyment of all citizens of Newfoundland and Labrador.
- It is not and never will be this Government's policy to privatize the outdoors.
- Government believes access to our natural resources must be maintained, but not at the expense of conservation and sustainability. These principles are fundamental and not open to debate.
- Government believes it is possible to develop our tourism and economic potential through the use of our outdoor resources, but such developments will not compromise access and use by Newfoundlanders and Labradorians.
- Government is committed to negotiating equitable land claims agreements with our Aboriginal peoples, settlement of which may affect management of outdoor resources in specific areas of the Province.

A large number of participants who took part in the consultation process expressed their support for these principles. For example, the Citizen's Outdoor Rights Alliance notes that these principles closely mirror their own founding principles. For the College of the North Atlantic the principles are both 'progressive and achievable', while for Gary Sargent, President of the Atlantic Quest Corporation, the solution to our relationship with the land and the resources is both simple and embodied in the Government's statement of principles.

'The Emerald Zone Corporation supports government principles as outlined in the opening statement of principles. Freedom of access to the outdoors for recreational and household uses are seen as inherent rights of Newfoundlanders, almost as a form of freedom of expression'.

2.2 Conservation and Sustainability

There is other general support for the Government's principles throughout the consultation process. In particular, there is a strong emphasis on conservation and sustainability, with conservation specifically discussed in 13 (or 14 per cent) of the briefs submitted.

'The guiding principles for management of our outdoor resources must be conservation and sustainable development. Any other principle that goes ahead of these is a recipe for over-exploitation and destruction of our fish and wildlife outdoor resources.' (Labrador Outfitters' Association Inc.)

For the Bay St. George South Area Development Association 'conservation should be priority #1, and we should not compromise this in any way... All resources should be harvested at sustainable levels only. Anything less is irresponsible and a betrayal of the responsibility we have to generations to come'. John Sheppard of Gander, believes that conservation is not only an important principle but 'the only principle that should guide the management of our outdoor resources', while for the Humber Environment Action Group 'Conservation is Key'.

Similarly, Warren Blanchard of Corner Brook thinks 'conservation must be the priority when managing our natural resources', and Bruce Moores, in a letter submitted by the Freshwater Alexander Bay Ecosystem Corporation, is encouraged 'to see the emphasis placed on conservation throughout the (consultation) document... it is definitely a principle that is fundamental and must not be open to debate'.

There is similar support for the principle of sustainability. For example, for Fred Holloway of the Freshwater Alexander Bay Ecosystem Corporation 'all of the resources must be managed at a sustainable level'. The Corner Brook Pulp and Paper Ltd. calls on the Government to 'insure that access to and use of the natural resources of the Province is consistent with the principles of sustainable development and the need to maintain the economic, as well as the social and environmental, benefits derived from our natural resources'. (The relationship between outdoor use and economic development is discussed in Section 3.0, below.)

2.3 The Consistent Application of Principles

While there is much support for these principles, a number of briefs question the Government's credibility, given what they see as inconsistencies between the principles and its actions. Having noted the similarities between their own and the government's principles, the Citizens Outdoor Rights Alliance goes on to ask: 'Why then do we find ourselves drawn into public debate with our own government leaders when our guiding principles are so similar? The answer is that our government has not applied these principles very consistently in the past, and now the public believes that these principles will not provide the protection they are meant to provide in the future'.

Different presenters and briefs argue that each of the following are evidence of a gap between the government's principles and actions:

- the privatization of provincial parks;
- the increased hunting quotas for non-resident hunters;
- the introduction of community watershed management;
- the construction of fishing lodges on popular rivers;
- access fees at Portland Creek;
- the increased commercialization of salmon rivers, including additional licenses and fall fishery extensions;
- the threat of new fees, such as trout, river specific or zonal salmon license fees and the conservation

stamp;
- the Star Lake and other hydro-electric projects;
- the granting of land rights to companies for forestry and transmission lines;
- the loss of recreational rights to fish cod; and
- government's alleged adoption of the LGL report.

'The greatest concern is that the principles declared will be compromised by economic development, especially vested interests represented by natural resources corporations, such as the pulp and paper, mining, hydro-electric and construction sectors. There is a deep mistrust that in spite of repeated assurances from government, the rights which cannot be sold will be abrogated in other ways detrimental to the public interest'. (Emerald Zone Corporation)

Similar concerns lead the Protected Areas Association to propose, as its Recommendation #1 to the Committee: 'that the government follow through on its commitments by making conservation its first priority in all its activities and policies'. Others, as is discussed below, call for the adoption of an Outdoors Bill of Rights.

2.4 Privatization

The focus of much of the concern about the government's principles is the contentious issue of privatization. It is discussed by 28 (or 31 per cent) of the 90 briefs. Presenters and briefs are concerned about both privatization itself and a range of other topics which are seen as being related to or, in some cases, synonymous with, privatization. These topics include land ownership, commercialization, access restrictions and watershed management.

Some speakers and briefs, such as that of the Marine & Mountain Zone Board, call for the government to maintain its stand that 'it is not, and never will be, the Government's policy to privatize the outdoors'. Others, such as the Bay St. George South Area Development Association, express the opinion that many of the accusations of government privatization are 'extreme to the point of being ludicrous', distorting the realities of the situation. They cite the privatization of parks and community watershed management in this regard. And for Gene Manion of Main River Lodge Ltd., allegations of the privatization of rivers appear to be a 'smoke screen by a small vocal group of self-interested anglers so as to restrict tourist development'.

But a large number of other groups are sceptical of the government's statement that it will not privatize the outdoors. The responses of the Humber Environment Action Group and Doug Dalton are representative of this position:

- 'While this statement is "legally correct", it is clearly inconsistent with the plain facts of the matter. After all, Government continually assigns exclusive rights to certain outdoor resources on Crown land: cottage development permits, mineral rights, hydroelectric development permits, timber cutting rights, etc.. If these are not ways in which the outdoors are being privatized, then what is?' (Humber Environment Action Group)

- 'If the present government really believes this, why is (it) encouraging in piecemeal fashion to have large areas of land to be privatized for various reasons?' (Doug Dalton, Little Catalina)

For many participants in the consultation, watershed management is synonymous with privatization, and it commonly appears among lists of evidence that there is a government move towards privatizing the outdoors. In the words of Jed Sampson of Port au Port: 'handing our rivers and other outdoor resources

over to organizations like SPAWN, the outfitters, ASF, community watershed management, ACOA, etc., is privatization, whether it be in the form of leasing rights, direct control or outright selling'.

However, the Humber River Model River Planning Corporation notes that one of its goals is 'to ensure that the resources of the watershed are not privatized by way of permitting exclusive use to one person (s) or any ownership of such resources. Equality of access will be promoted by the Model River Group'. Similarly, the Gander River Management Association states that it 'will continue to fight to ensure that not one square inch of the River or the public easement is privatized'. And the Salmonid Association of Eastern Newfoundland has as one of its proposed Guiding Principles for community watershed management: 'Privatization: An absolute NO to any form of ownership for any part of the waterways including shoreline buffer zones. This includes any ownership by the CWM {Community Watershed Management} group of our wilderness resources'.

As the Marine & Mountain Zone Corporation indicates, 'much confusion and debate' has attended discussion as to whether community management of wilderness resources leads to their privatization. In the opinion of the Corporation 'this should not be the case', and it recommends that the government make a concerted effort 'to clarify the differences and... inform residents properly about the concept of Community Management'.

2.5 An Outdoor Bill of Rights

A number of presenters and briefs want the Government's commitment to the principles expressed in the consultation paper strengthened through the adoption of a Bill of Rights or similar legislation. In total, 11 briefs express support for an Outdoor Bill of Rights, with a draft Bill being presented to the Committee. Groups strongly advocating its adoption include the Citizens Outdoor Rights Alliance, Newfoundland and Labrador Wildlife Federation and the Bay of Islands Rod and Gun Club.

'There is an imminent need to bring in legislation that will protect our rights to use and enjoy the outdoors as we have for three hundred years. What better way to begin this process than the introduction and passage of an Outdoor Bill of Rights, wherein all the various users and management bodies will be governed by the same rules'. (Donald J. Blackmore, Gander)

Such a Bill of Rights is seen as preserving 'traditional access to all public lands and waters for outdoor recreational uses, such as fishing hunting, touring and gathering wild foods' (Citizens Outdoor Rights Alliance), thereby assuring 'the continuation of our unique culture and quality of life for ourselves and future generations'(Donald J. Blackmore). It is also thought that it would: 'clarify the ground rules for all participants. Investors would be able to make business decisions based on a stable and predictable situation where everyone knows where they stand' (Owen Myers)

In a related approach, The Marine & Mountain Zone Corporation notes that Finland has established parameters in legislation to ensure its citizens rights to use the outdoors and suggests that the government investigate this initiative.

And yet others note that all rights must be balanced by responsibilities. For Gary Sargent of the Atlantic Quest Corporation Inc., 'rights have to be balanced with a respect for the land and preservation of the resource', while the brief from the Corner Brook Pulp and Paper Ltd. notes that 'the use of outdoor resources is a privilege, not a "God given right"'.

2.6 Other Principles and Considerations

Presenters and briefs discuss a range of other principles and considerations respecting the use of outdoor resources. Examples include:

- The Bay St. George South Area Development Association identifies four core principles: conservation, equal affordable access, community input and economic development.
- Don Higdon of Corner Brook believes that 'public access to waters and lands should be guaranteed and should always be first and foremost ahead of any form of private control'.
- Warren Blanchard of Corner Brook argues that 'Newfoundlanders should be main users of the outdoors'.
- The Humber Environment Action Group calls for open, transparent and accountable decision-making and for equal (but not necessarily easy) access. It also recommends that the Government adopt the Precautionary Principle, 'building it into the province's Biodiversity Strategy and incorporating it in all relevant resource management policies. The Precautionary Principle simply means that whenever there is uncertainty, the prudent resource manager will lean to the side of conservation and favour management decisions that will not foreclose future options. Had this principle been applied in fisheries management in the 1980s we all know that things would look very different today'.
- The Natural History Society of Newfoundland and Labrador believes all citizens must continue to have equal rights of "innocent access" to all Crown lands and their outdoor resources, where innocent use is any use that does not substantially modify the area. This would include hiking, canoeing and backpacking, but not such things as building a cottage, cutting an all terrain vehicle or snowmobile trail, logging or clear cutting, and building roads or dams.
- It also recommends that 'any quotas, limits or other controls upon access to Crown lands and to harvesting of renewable resources... must apply equally to all residents of the province'.

3.0 OUTDOOR USE AND ECONOMIC DEVELOPMENT

Discussion of the relationship between the use of the outdoors and economic development is a major theme in briefs and presentations to the Committee. It is raised in 42 (or 47 per cent) of the written submissions.

Only a small number consider economic development to be an important principle in regulating the outdoors. However, many spoke or wrote of the importance of establishing a balance between conservation, recreation and economic development. This includes discussion of the economic value of the outdoors and the best ways of balancing recreation and economic development.

3.1 The Value of Outdoor Activities

Outdoor activities make a very important contribution to the economy of Newfoundland and Labrador. The Gander River Management Association cites the case of the Gander River, estimating that is supports 120 direct jobs, nine outfitter lodges and three service guide businesses. The GRMA itself has around 24 seasonal employees and spends $250,000 to $300,000 locally annually. And, according to Gene Manion of Main River Lodge Ltd., the outfitting industry 'contributes in excess of $25 million each year to the economy, and provides in excess of 10,000 part-time and spin-off jobs... Our one lodge contributed over $200,000 to the local economy in 1998'.

However, others argue that even these types of economic assessments commonly undervalue the outdoors and that, in particular, the economic contribution of resident rather than non-resident hunters, anglers and outdoors-people. John Sheppard of Gander notes that 'the economic returns to government by way of taxes on goods sold for local recreational use of the outdoors is significant'.

'*Resident anglers* and hunters buy practically 100 per cent of their supplies locally, thereby supporting local businesses and paying 15 per cent tax... and they pay income tax, property tax, sales taxes etc. 365 days of the year. Compare this to the non-resident who buys nothing locally, and perhaps as much as 75 per cent of his fee goes south with the outfitter who, after paying his cook and guide a few cents, closes shop and goes away for the winter'. (Reg Nichols, Corner Brook)

Donald J. Blackmore (Gander) notes that outdoor recreation activities contribute well over $100 millions to the Treasury every year, and that '95 per cent of this money comes from resident use of our outdoors, and only 5 per cent from non-resident sources... While non-resident hunters and fishers do contribute new money to the economy... because of the major transportation problems the Island of Newfoundland at least will, for the foreseeable future, experience a limited and probably modest growth in non-resident use of our outdoors'.

For others, there is an undervaluation of outdoor resources because conventional analyses ignore some uses (e.g. subsistence, non-consumptive recreation and resident use) which do directly contribute to the economy. This is an especially important consideration in respect of aboriginals and residents of Labrador: 'for countless generations (recent European and indigenous populations) local residents have utilized various resources... This resource use (both consumptive and non-consumptive) can be considered in the context of domestic/traditional/historic/ subsistence or similar terminology. In any sense, it implies a degree of economic importance particularly to nearby residents which is either overlooked or discounted as insignificant. Recent studies have indicated considerable importance to this sector of the economy, particularly in northern areas'. (John and Juanita Thomas, Happy Valley/Goose Bay)

Others spoke of the present and potential future value of our wilderness areas: 'North America and Europe have very little pristine wilderness remaining except for National Parks. If we had the vision and the determination to restrict development of our remaining natural areas, there will be a significant growing demand for these areas as tourist destinations... Resource user conflict must be seriously addressed. Short-term gain by industrial expansion must be restricted in the unspoiled areas so as to reap larger long-term economic benefit that these areas will produce if left in pristine condition' (Gene Manion, Main River Lodge Ltd). Similarly, the Natural History Society of Newfoundland and Labrador believe that 'wilderness is becoming increasingly rare worldwide so if we preserve ours, we will have a real market advantage. We could become the "temperate Costa Rica"'.

However, while many argued that economic assessments commonly undervalued the outdoors, others believe the economic significance of much hunting and gathering activity is overstated, and that it should largely be considered recreational rather than economic. For example, Nelson Bennet of Pasadena believes that: 'since direct harvesting of our natural resources, such as killing wild animals, cutting wood on Crown land or catching fish can no longer be considered necessary for maintenance of living in this Province... such exercises are best deemed recreation and pleasure for which local participants should be prepared to pay. The gathering of food, wood, berries, and the like has changed to more sophisticated ways to make savings in an economic way a myth with the use of pickups, ATVs, motors, gasoline, chain saws, fishing gear and the like'.

'There are those who say Newfoundlanders require moose, trout, etc. for protein in their diet. We say "Get Real"! Moose meat is not cheap meat nor is trout cheap fish when you factor in all the costs associated with a hunting or fishing expedition'. (Bay St. George South Area Development Association)

In other discussion of the economic value of the outdoors, the Protected Areas Association states that, in its opinion, environmental stability and economic stability are 'two sides of the same coin'. The Association also describes how protected areas can provide many direct economic benefits. And the

Irish Loop Regional Economic Development Board indicates that it sees real economic potential in its protected areas and parks, with the Witless Bay Ecological Reserve being its most significant tourism attraction.

3.2 The Value of Economic Development Initiatives

There is also discussion of the value of various economic development initiatives which may damage or restrict access to the outdoors. The Emerald Zone Corporation believes questions must be asked about the benefits from such past initiatives as 'land concessions given to the Reid Company, the pulp and paper companies and hydro-electric developments and other corporations which received concessions in exchange for the generation of economic growth... The historic position of trading environment for jobs has, in the long term, not produced the expected jobs and left a legacy of a despoiled environment, a closed cod fishery, a depleted forestry, polluted and contaminated areas, and a diminished inland fishery'. In particular, the depredation of the cod fishery is 'the tragic result of unrestrained commercial interests to the detriment of the public good'.

Donald J. Blackmore condemns hydro-electric projects as both representing a privatization of outdoor resources and for its 'destruction of our rivers', and David Tilley notes how they cause the flooding of large amounts of pristine shoreline habitat. The Salmonid Association of Eastern Newfoundland notes that 'currently over 60 per cent of Newfoundland's watersheds are being utilized in some form for the purpose of hydro generation' which results in the destruction of such fish stocks as the Atlantic Salmon; 'the lost revenues and employment opportunities are incalculable'. These concerns cause a number of those presenting to the Committee to applaud the government's decision to suspend the development of further small hydro projects.

Others question the benefits and prospective effects of hydro and other projects now in the planning stages. For example, the Friends of the Grand River wonder about the future economic benefits of Churchill Power Project 'considering the magnitude, permanent damage, huge financial costs, questionable requirement in the advent of new energy technology and future debt load to tax payers'.

There are similar concerns about forestry, mining and other activities, both for their direct effects and the fact that they involve the construction of roads that allow access to remote areas. In respect of forestry, for example, 'in each of the past few years, over 20,000 hectares of forest were harvested, mainly for pulp and mainly in pristine areas, and in just the past two years many kilometres of new forest access roads were constructed at a cost of more than $2.5 millions in public funds, each year opening up more of our wilderness areas'. (Protected Areas Association)

The Emerald Zone Corporation conclude that economic development must take the long view: 'The pressure for jobs is unrelenting but the era of government concessions to corporate interests is over... (there must be) a balance between conflicting users (which) must first consider the sustainability of the resource rather than short-term economic benefits.'

3.3 Striking a Balance

The issue of balancing conservation with recreational and economic development uses of outdoor resources is raised by the consultation paper, and it is discussed by large numbers of presenters and briefs. All of them, in different ways, see a need to strike such a balance. In the words of Happy Valley - Goose Bay resident Joe Goudie: 'The insatiable demand for revenue must be balanced against the need and responsibility that we have as world citizens to protect and nurture our wild resources and our many cultures'. In a related formulation, Don Higdon of Corner Brook stresses that: 'economic development

should be pursued, but not to the detriment of the rights of the public'.

Many, like the Labrador Metis Nation, feel that governments 'have not balanced the peoples' concerns over the environment with the economic benefits from development'. But there is a consensus that such a balance can be reached. As the Bay St. George South Area Development Association put it: 'surely we have matured to a point where we can all work together to develop our resources on a sustainable basis without infringing on the traditional privileges of anyone. It is our firm belief that working together, this can be accomplished'.

'While our outdoor resources are not the answer to all our economic problems, they can contribute significantly to our economic well-being. We can develop our resources and it can be done without infringing on traditional privileges'. (Bay St. George South Area Development Association)

Achieving such a balance is already a goal of a number of the groups involved in the consultation. As Fred Holloway states on behalf of the Freshwater Alexander Bay Ecosystem Corporation, 'our primary goal is to see our resources managed in a sustainable manner, and we believe the area has lucrative employment and business opportunities for our communities and still satisfy the local users', while the Irish Loop Regional Economic Development Board's planning is based 'on achieving a balance between the need to create opportunity in the region while respecting the natural environment'.

Many feel that such a balance can only be achieved through consultation and cooperation. As Warren Blanchard of Corner Brook puts it: 'to achieve the balance of competing users, Government must listen to the ideas and concerns expressed by the user groups. These groups are the ones who are closest to the problems which exist in trying to manage the resources. Through cooperation with all users - recreational and economic development groups - a balance satisfactory to all should be attained'.

4.0 THE MANAGEMENT OF OUTDOOR USE

4.1 Introduction

Management is another important theme in the consultation. In the discussion paper, government asks not only about management principles, but also the roles community groups should play in, and whether users should pay for management. This section reviews the opinions expressed by speakers and in briefs with respect to the following management issues: roles; education; consultation; planning; enforcement; monitoring; and funding.

4.2 Roles

Much of the discussion of roles is concerned with the place of community groups in resource management. There are strong differences of opinion, in large part along the lines of the discussion of privatization and watershed management (see Section 2.2). Those who regard these issues as problematic are most likely to have reservations about devolving powers and responsibilities to the community level.

For those who support the empowerment of communities: 'management derived from the community and stakeholders must replace the traditional central government approach. We need major institutional reorganization at the policy level of government to ensure responsiveness to local demand. Government's role will be to empower and enable our communities to take over the responsibility of resource development and conservation'. (Yvonne Jones, M.H.A.)

The Labrador Metis Nation sees community-based management as being particularly important to Aboriginal people: 'Management by the province has been for everybody else, except the Labrador Metis, and it has been deplorable, leading to poor conditions in our communities... Management must return to the land owners, the Metis and other Aboriginal people of Labrador'.

Predictably, community empowerment receives implicit or explicit support from numerous local agencies which have already been given management responsibilities. This includes the community watershed management authorities, whose approach is summarized in one of the goals of the Humber River Model River Planning Corporation: 'The development and implementation of a management strategy through consensus which outlines and encourages co-operative local management of the river through shared responsibility, support and promotion of stakeholder involvement in the management functions'.

The key element here is the local management role, which the Gander River Management Association claims provides 'a vital additional dimension to fish management - the contribution of stewardship, local experience and expertise', while recognizing that Government are 'the ultimate decision-makers'. The Freshwater Alexander Bay Ecosystems Corporation believes that 'local community management of the ecosystem has many benefits', while for the Gander Bay Indian Band Council it is simply that 'the users of the resource are the best managers'.

But while there is support for a community role in management, there is no simple answer to the question: 'what role should community groups play?' Most seem to agree with what Gary Sargent of the Atlantic Quest Corporation made explicit. He says that before establishing the role it would be necessary to 'define community groups; are we talking service clubs, user groups, business organizations, special interest associations, etc.? All could have a role ranging from advisory to direct participation in resource management.'

'Community groups can and should play a major role in the management of our resources. However, it is critical that these groups be made up of a good cross-section of all stakeholders, insuring all can have input into management. Special interest groups would be part of the process. It is necessary to have a diverse group (to)... eliminate the tendency we all have to make decisions on our own needs irrespective of others'. (Bay St. George South Area Development Association)

However, a number of other presentations and briefs express strong antipathy to the delegation of powers to the community level. Bernard Rumbolt, president of the Bay St. George Sports Hunting & Fishing Association, bluntly states that: 'self serving people and community groups should and will not have control of our rivers'. Similarly, Doug Dalton of Little Catalina argues that 'community groups should not be given any power in managing our resources other than the right to submit suggestions to the government'. Rather, 'communities should play a consultation role in the management of resources, following a consistent set of guidelines from government'. (John Sheppard, Gander)

A large part of this concern arises because these community organizations are viewed as undemocratic and secretive. Particular concern is expressed about delegation to watershed management authorities and the Newfoundland and Labrador Inland Fish and Wildlife Advisory Council. In the former case, '"community based" watershed management is... an example of stakeholder driven process which does not fairly represent the large majority of users' (Citizens Outdoor Rights Alliance), and the Newfoundland and Labrador Wildlife Federation and others insist that government not delegate its powers to 'non-democratic' watershed management authorities. In the case of the Advisory Council, Citizens Against River Privatization considers it a 'secret council to deal with government issues', and a number of other groups express similar sentiments.

'Ecosystem Associations.., along with the Federal and Provincial governments, plan to bring in "USER PAY". This is where YOU, the users of the area, pay a mini bureaucracy to run all aspects of the out of door activities in the area, doing what the federal and provincial governments are supposed to do'. (Newfoundland and Labrador Wildlife Federation)

Such concerns extend even to agencies which are otherwise supportive of community-based approaches. They lead the Salmonid Council of Newfoundland and Labrador, for example, to recommend that 'Government must draft legislation clearly defining the authority and responsibilities to be granted to CWM groups'. Others call for education initiatives so that people better understand the intended role and function of these groups (see Section 4.3).

In another discussions of roles, there are calls for the federal government to maintain its constitutional obligations: 'protection is the heart of conservation. It is a simple constitutional fact that inland fisheries is a federal responsibility... DFO must not be allowed to abandon their constitutionally mandated responsibility. The federal government has the budgetary resources to do the job, it is not something that the Province should take on'. (Owen Myers)

And others call for a better coordination of, leading to more consistent decision-making by, the different levels of government. As Len Rich puts it: 'Two branches of government - federal and provincial - are now responsible for fish management. Very often the two are not synchronized or are not working together for the good of the resource. Present consultative meetings are not effective. Requests for long term planning and stable allocations have been largely ignored. Both branches must work together'.

Better coordination is seen as including a need to consult and work with those with different but related roles. For example, the East Coast Trail Association recognizes that it is important that its work be coordinated with that of government. And, more generally, the Newfoundland T'Railway Council believes that 'it's a question of partnering at all levels, rather than the onus being placed entirely on the shoulders of one or another agency or government department'.

4.3 Education

There is a wide acknowledgement that there is a need for new and improved public education with respect to the outdoors and outdoors activities. For example,

- The Town of Bay de Verde recommends that the government undertake a 'program of public education to increase an awareness of environmental issues';

- The College of the North Atlantic calls on the government to adopt and support broad-based education as an efficient and effective approach to improved management of the Province's outdoor heritage. (Its own community and continuing education initiatives include the Women in the Outdoor and Hunter Education/Firearms Safety programmes); and

- The Freshwater Alexander Bay Ecosystems Corporation believes that there is a need for 'some mechanism for reaching the public with solid facts on on-going ecology and conservation issues', pointing out the complexity of these issues.

School programs are seen as being particularly important. Arthur King, Grand Falls, thinks that the province would greatly benefit 'if our children and youth could identify most of our plants, flowers and trees, as well as our fish, birds and wildlife... (and) the rules and regulations concerning everyone's responsibility to our outdoor resources'. He goes on to suggest that 'educational conservation officers...

visit schools, organizations and seniors... (to) talk and listen about the concerns and benefits of outdoor resources'.

In one current initiative, Western Newfoundland Model Forest thinks it has been successful in enhancing 'students' and, more importantly, teachers' understanding of natural resource management'. This group has as one of its 1997 - 2002 goals 'to build the capacity in society for people to contribute effectively to resource management'. And most of the watershed management groups discuss the need to inform the community, educational institutions, government and other interested agencies about the concept and its benefits.

4.4 Consultation

There is widespread support for the present consultation process and consultation in general. There are, in particular, many calls for government to consult further with all stakeholders, and especially community groups, on issues of outdoor use. Indeed, for the Bay St. George South Area Development Association, 'community input' is one of the four core principles for dealing with outdoor concerns: 'We believe it should be government policy to work with community groups to provide an enhanced conservation and protection program for our resources'.

'To achieve the balance of competing users, Government must listen to the ideas and concerns expressed by the user groups. These groups are the ones who are closest to the problems which exist in trying to manage the resources. Through cooperation with all users - recreational and economic development - a balance satisfactory to all should be attained'. (Warren Blanchard, Corner Brook)

Some feel that the government has been doing a bad job in this area. For example, Jed Sampson of Port au Port argues that 'the general public has been conveniently excluded from any decision-making or even knowing what is going on'. Others call for greater consultation, including:

- Jim Taylor of Pasadena, who thinks that 'as a general policy (on natural resource issues) government should regularly use and support open, principled discussions leading to fair consensus decisions';

- John Sheppard of Gander, who believes: 'Communities should play a consultation role in the management of resources following a consistent set of guidelines from government';

- Bonavista and Gander Citizens Against Privatization, which recommends that the Government 'ask outdoors people to relate their experiences and opinions'.

'The biggest issue of concern that The Marine & Mountain Zone Corporation feels must be addressed... is communication between the government departments and the general public. If residents of the province are going to buy into any major policy changes... they must be thoroughly informed from the beginning about proposed changes. This will... provide residents with proper information from the outset so that misconceptions about changes can be limited (and)... give residents a chance to provide input to the decision making process and allow for the development of policies that have the support of the local population. Currently, there appears to be a definite lack of communication between the government and the general public in regards to changes in the way our outdoor resources are to be handled. This has been demonstrated in the reaction to the community management of watershed areas and decision to extend the moose and caribou hunting seasons'.

As with some other issues discussed above, much of the discussion of consultation is concerned with privatization and community watershed management. For example, Owen Myers notes that there had

been no public consultation respecting the privatization of provincial parks or the introduction of the Gander River fishing license. However, the Freshwater Alexander Bay Ecosystems Corporation considers that one of the merits of the watershed management groups is that they provide a 'dynamic link between government agencies and the public at large where information can be exchanged on a recorded, organized and reliable basis'. And the Salmonid Association of Newfoundland and Labrador and of Eastern Newfoundland notes that its approved Guiding Principles for Community Watershed Management require public consultation: 'Before any CWM plan can come into effect, extensive public consultation must be held to include interests outside the waterways. Changes to the original plan must undergo the same process'.

Others also view the environmental assessment process as an important means of ensuring appropriate public consultation. For example, the Protected Areas Association expresses concern that the government is proposing to exempt government programs and policies from environmental assessment, which would eliminate public input.

A number of other consultation issues are raised. For example, Gene Mercer thinks it important that the Newfoundland and Labrador Inland and Wildlife Advisory Council meetings be open to the public and that it produce frequent news releases so that the public can know what the Council is doing. For Gene Manion of the Main River Lodge Ltd. 'extensive public consultation and discussion must be entertained when land use policies are being considered'. And 'on a practical level, the Emerald Zone Corporation recognizes the need for public input to be considered, especially over issues of licensing and enforcement'.

4.5 Planning

The presentations and briefs contain much general support for planning. This is seen as a key element in protecting the outdoors and establishing a proper balance between conservation, recreation and economic development. As Yvonne Jones, MHA, puts it: 'development without proper planning could result in the eventual elimination of (our) resources'

Throughout the discussion there is concern that planning be democratic and serve democratic ends. That is, the planning process should involve all stakeholders and that the plans both reflect their interests and serve as a tool for ensuring their interests are served. For example:

- The Humber Environment Action Group recommends the implementation of 'a land use plan that is regionally-based and developed in an open and democratic fashion';

- The Citizens Outdoor Rights Alliance believes that there is a need for 'a democratically produced land use plan which sets out clearly to citizens the intended uses of sensitive tracts of public land... Without such a plan, government departments are unable to objectively assess the wisdom of proposals for developments, and decisions may be influenced by such factors as political connections and pressure tactics'; and

- John and Juanita Thomas, Happy Valley/Goose Bay, believe there is a requirement for 'planning from a holistic perspective and not a piecemeal attempt by various departments to stake out turf. Support should be given to forums already existing in terms of all government agencies participating, adequate funding, appropriate information, suitable priority and of course staff. Integrated planning must involve all concerned stakeholders and act in a consensual manner'.

'How can Government balance uses? I think it's called "Land Use Planning"! Proper planning is a

deliberate attempt to decide on how things ought to happen; and to do so with as broad a participation as is possible in order to set out what is acceptable'. (Gary Sargent, Atlantic Quest Corporation)

Planning is seen as being necessary in considering the management of a large number of outdoors use issues. For example:

- Rivers: There is much discussion of rivers planning given the watershed management process. While those favouring this approach see it as exemplary of a successful planning initiative, the Newfoundland and Labrador Wildlife Federation and others are concerned that ecosystem associations will end up with complete control over land use practices.

- Forests: There is discussion of forest management plans, with some feeling that the present process is insufficiently rigorous: 'Government has so far refused to conduct a full environmental assessment of a single forest management plan. It has established "Planning Teams" that attempt to address so-called "stakeholder" concerns, but these processes lack the rigour of an E.I.S." (Humber Environment Action Group). Others note the need for specific planning initiatives respecting wood harvesting roads (David Tilley and Main River Lodge Ltd.) and logging plans (David Tilley).

- Protected and Natural Areas: The Natural History Society of Newfoundland and Labrador recommends the completion of 'the system of Wilderness Areas, Parks and other preserves and reserves, as per the Protected Areas System Plan, as quickly as possible', while Jim Taylor of Pasadena supports a 'legislated Natural Area System Plan... to protect representative and sensitive areas of our ecosystem and historical sites'.

- Coastal Areas: Jon Lien, Portugal Cove, is greatly concerned that 'Newfoundland and Labrador has no systematic lands use plan (or) coastal management plans... the longer we wait to adopt and implement a system plan for protecting natural areas the more difficult and impossible it will be to protect them. Developments every day are proceeding on a case by case basis without comprehensive planning or integrated environmental assessment'.

- Moose and Caribou: Gene Mercer recommends that the government 'produce Annual Management Plans that are public and that detail management policies, research, projects, changes, costs, etc.. With management plans and the help of the (Newfoundland and Labrador Inland Fish and Wildlife Advisory) Council, we will not have overpopulated/ starving moose and caribou'.

- Cottages: The Corner Brook Pulp and Paper Limited is concerned that there is 'no system in place to plan or regulate recreational cottage development in the Province... This type of widespread, ad hoc development will have a lasting negative impact on future resource management'.

- Highways: The Labrador Outfitters Association thinks that much thought and consideration is needed in planning the Trans Labrador Highway (TLH): 'anything less may compromise the outdoor resources of the very people (the) government is building the TLH to help'.

There is a call for coordination in planning, not least between the federal and provincial governments. In the context of a discussion of their roles, Len Rich notes that 'requests for long term planning and stable allocations have been largely ignored. Both branches must work together'. Furthermore, he notes, 'management plans are delivered on an ad hoc basis from year to year'. Lastly, the Humber Natural History Society calls for land-use plans to recognize importance of non-consumptive uses of land related to the study and enjoyment of the natural environment.

4.6 Enforcement

The briefs and presentations reflect a strong consensus that there is a need for more effective enforcement of regulations. This is seen as important so as to preserves the resource, reduce poaching and ensure equity of hunting and fishing opportunity. Reductions in poaching are seen as being a much superior of maintaining resources than limiting access by legitimate fishers and hunters. And fines can be used to support enforcement and other management initiatives.

The discussion of enforcement is largely focused on fishing, with few specific references to hunting. It is generally thought that there is a need to improve the enforcement of fishing regulations. In the opinion of Fred Holloway of the Freshwater Alexander Bay Ecosystems Corporation: 'at one time we had a force of guardians that probably was close to adequate, but now the area lacks in resources in manpower and expenses in the enforcement sector (which) has become close to non-existent'. For Owen Myers, writing of the need for a Bill of Rights, there is a need to spend money 'on the real protection of salmon and trout in the form of more river guardians hired for a longer season and helicopter support to quickly transport them to poaching hotspots'. The Newfoundland and Labrador Wildlife Federation is among the other groups that call for more enforcement on salmon rivers, while the Exploits River Management Association notes a similar need re. trout fishing. Maura Hanrahan notes that the need for more guardians on rivers may require that the federal government be forced to live up to its constitutional responsibilities.

As has been discussed above, various groups oppose watershed management initiatives. Some, like the Newfoundland and Labrador Wildlife Federation, see it as a means of down loading, not least removing from government the need to provide wardens. Others, including Owen Myers and Rick Bouzan, note that while government is delegating powers to watershed management corporations, they have no enforcement powers. However, the Town of Appleton believes the Gander River Management Association has had success in addressing enforcement issues.

A number of other enforcement issues are raised. For example, Bob Peters of St. John's complains that enforcement of regulations on the personal use fishery is not necessary and 'making criminals of ordinary citizens', while Arthur King believes that there is a need for stronger action respecting illegal cabin construction. The Town of Bay de Verde see a need to enforce all terrain vehicle (ATV) regulations, while the Natural History Society of Newfoundland and Labrador recommends that 'the enforcement of regulations put in place to protect and preserve areas or species must be consistent. Cabin construction, logging or domestic wood cutting, cutting or making ATV or snowmobile trails or roads, etc. in violation of regulations should be severely punished'.

Lastly, the Humber Environment Action Group notes that enforcement is not only an issue with respect to the activities of individual hunters, anglers, ATV riders and other citizens. In line with this, it proposes effective fines for 'littering and environmental infractions in road-building, mineral exploration, mining, hydro developments, logging, etc.'.

4.7 Monitoring

As with enforcement, the main discussions of monitoring focus on our rivers and fishing activity. In particular:

- The Freshwater Alexander Bay Ecosystems Corporation believes local river conditions could be monitored by knowledgeable locals provided the necessary expertise through watershed management groups. He suggests this might allow different pools to be closed at different times;

- The Bonavista and Gander Citizens Against Privatization argue that it will be necessary to acquire the latest monitoring technology so as to get a true full season count of returning salmon;

- The Humber River Model River Planning Corporation, concerned particularly about the limited understanding of the Atlantic Salmon stocks, has as one of its goals 'to devise a management strategy which will provide for accurate baseline studies including improved stock assessment to provide information to assess impact on stocks and accountability for negative environmental impacts';

- The Labrador Outfitters Association notes that 'with no resident trout license, we know little about the quantity of the resource being harvested and less about what is being left for reproduction and sustainability' and

- The Salmonid Association of Eastern Newfoundland agrees that 'a trout license would be an inexpensive means of providing data (on the state of the stocks and fishing effort) while at the same time aiding policy-makers in developing an effective trout management plan'.

However, there is recognition of the need to monitor other outdoor resources. For example, the East Coast Trail Association writes about the effectiveness of volunteer custodians, who report on problems and allow rapid corrective action. And the Irish Loop Regional Economic Development Board discuss the need similar protection at Mistaken Point fossil site.

4.8 Funding

The discussion of funding is mainly concerned with user pay and what, if any, activities might appropriately paid for by the users of the outdoors. It also includes discussion of funding mechanisms and the roles of governments and the private-sector in paying for management and other activities.

Most of the groups and individuals consulted think it is reasonable to expect users to contribute. For example:

- 'It is not unreasonable for those of us who harvest moose, rabbit, fish, etc. pay a fee to cover the cost that results from the privilege to harvest these resources.' (Bay St. George South Area Development Association)

- 'User pay should be applied, in principle, for all recreational activities managed by the Provincial Government' (Nelson W. Bennett, Pasadena)

- 'The majority of Newfoundlanders do not mind paying a fee for the privilege of accessibility to hunt, fish or just to enjoy our outdoor resources'. (Exploits River Management Association)

However, there is recognition that others should also pay. For example, the Emerald Zone Corporation recommends that while 'outdoor users should generally be expected to pay for conservation and management,.. the entire costs... should not be paid by individuals paying licenses. More should be expected of the corporate sector in terms of re-forestation, site reclamation and environmental protection'.

'It is not unreasonable for those of us who harvest moose, rabbit, fish, etc. to pay a fee to cover the cost that results from the privilege to harvest these resources. We must also bear in mind that if we didn't want to harvest these resources, there would be no need for conservation and management. The fact that we do means there has to be a system in place to collect, compile and evaluate data in order to manage

these resources at sustainable levels. In our opinion, those who harvest the resources should pay a license fee to cover these costs. A percent of these revenues should go directly back to the community to allow the full participation by all stakeholders. As well, paper companies and mining operations should pay a reasonable royalty on the resource they harvest and, once again, a percentage should go directly to the community'. (Bay St. George South Area Development Association)

Whilst there is this support for user pay, there is concern that the costs might prove excessive for some. For example, the Battle Harbour Regional Development Association notes that

'the extent to which activities are licensed, and the monetary value of each license, will place financial limitations on some Labradorians. Individuals living on a fixed income who rely on outdoor resources to feed their families will be especially hard hit by these initiatives.'

However, others point out how inexpensive outdoors activities are compared to other forms of recreation. For example, the Humber River Model River Planning Corporation argues that 'a round of golf if you are not a member can cost up to $25. Skiing at one of the many ski areas in Newfoundland can cost up to $30 per day. A trip in a sightseeing boat... can cost $24 a trip. A tank of gas for your snowmobile is not inexpensive. For God's sake, a dozen beer costs almost the same as a yearly salmon license... (And) most anglers now pay twice as much for a floating fishing line as they pay for their annual angling license.' For the Salmonid Council of Newfoundland and Labrador the bottom line, as expressed in its Guiding Principles, is: 'Reasonable Cost: The cost to fish ALL rivers (including all CWM rivers) in this province must remain within the reasonable means of all residents'.

However, some groups and individuals reject user pay. The Citizens Outdoor Rights Alliance is opposed to 'the imposition of any new or increases in existing ones... the poorly reasoned "user pay" philosophy which seems to be creeping into governance of our outdoor resources should be replaced with a "universal access" philosophy, to guarantee that all our citizens can enjoy the Newfoundland outdoors'. Instead, the government should 'use tax monies to manage our resources fairly for all'. And the Bay St. George Sports Hunting & Fishing Association argues that Newfoundland and Labradorians have already 'paid more than their fair share in conservation, whether it be freshwater, salt water, on land or in the air'.

Similarly, the Citizen's Against River Privatization sees the conservation stamp and trout license as 'just another tax and the average Newfoundlander is already taxed to death'. For the Sandwich Bay Watershed Management Authority: 'taking the present game and recreational fishing licenses and putting the proceeds directly into resource management could be a much more palatable source of revenue than a new user fee'.

Part of the concern here is the cost, but part is the nature of the agencies which receive and use the funding. Gary Sargent of the Atlantic Quest Corporation objects to user fees 'not because there could not be a place for them in the scheme of things; but because governments and/or their bureaucracies have seized on them with a vengeance... to retain programs not to serve public interests'. And the Bay St. George Sports Hunting and Fishing Association strongly objects to the Newfoundland And Labrador Snowmobile Federation selling permits for access to a trail near Stephenville.

The presenters and briefs also include strong objections to river specific license or access fees (by, for example, Owen Myers, Rick Bouzan and the Salmonid Association of Eastern Newfoundland), whether charged by watershed management groups or, as at Portland Creek, private companies and individuals. And Gordon E. Cooper, President of the Newfoundland and Labrador Wildlife Federation, expresses strong objection to the fact that 'currently not one cent of money collected for the salmon license goes to

the protection of salmon'.

As far as the Town of Bay de Verde is concerned 'increased fees (i.e. for small game and trout licenses) should be made available for the exclusive purpose of initiating increased enforcement efforts'. However, the Bay St. George South Area Development Association recommends that license fees be used to cover the costs of collecting, compiling and evaluating data needed to manage resources at sustainable levels.

The discussion of the funding of management activities also includes consideration of the appropriate roles for the federal and provincial governments. For example, Owen Myers believes 'the federal government has the budgetary resources to (manage inshore fisheries), it is not something that the province should take on'. And the Bay St. George South Area Development Association considers that:

- 'it is incumbent on the federal government to put funding in place to manage (the trout) resource';

- the provincial government should put funds in place to support the development of the Trans Canada Trail; and

- 'governments must provide adequate funding to conserve and manage outdoor resources from general revenue. This would mean the cuts having to stop and money being put back into the system'.

Among other funding-related comments:

- B. A. Hammett, St. John's, notes that rescue operations are expensive, and recommends that the government investigate requiring people to pay 'a substantial amount of money, before they get their permit/visa' to cover initial rescue costs;

- the Humber Environment Action Group proposes pollution taxes on the sale of 'gas guzzlers' and two-stroke engines; and

- the Newfoundland T'Railway Committee suggests that recycling and gasoline taxes could be a source of revenues for trail maintenance purposes.

5.0 OUTDOOR USE ISSUES

5.1 Introduction

This section of the report reviews a number of outdoor use issues that arose during the consultation. Many of them have been touched upon during the discussion of principles, economic development and the management of outdoor use. However, this section provides more detailed consideration of matters related to the effects and regulation of activity, under the headings: Regulations, Licenses and Quotas; Winter and Sunday Hunting; Sportfishing and Hunting Lodges; Parks and Reserves; All Terrain Vehicles, Snowmobiles and Seadoos; and, Other Issues.

5.2 Regulations, Licenses and Quotas

This section discusses regulations, licenses and quotas related to both fish and game. However, it does not consider the winter moose hunt and Sunday hunting (which are covered in Section 5.3) or the many references to regulations, licenses and quotas being symptomatic of a removal of rights, privatization and increased taxation (a topic covered in Sections 2.0 and 4.8).

Some briefs consider issues common to both fishing and hunting. For example, the Emerald Zone Corporation calls for review of the regulations concerning quotas, stating that existing ones 'do not promote conservation. Regulations for fishing and hunting need to be reviewed with respect to out-of-province Canadians. Current policies favour local outfitters but is detrimental to the tourism industry; a balance needs to be made'. However, most of those presenting to the Committee deal with fishing and hunting issues separately.

When it comes to fishing, many want more effective regulation of stocks that are seen as being under considerable threat. In his brief, Austin Stewart of the Freshwater Alexander Bay Ecosystem Corporation calls for 'more regulations which honestly target the goal, rather than the shotgun approach. For example, this past summer the Terra Nova River was closed to sea trout fishing because it was closed to salmon fishing. (However,) the two species do not necessarily require the same kind of protection... In this case more regulations not fewer would alleviate the problem and make happier more respectful anglers'. He recommends that sea trout fishing only occur in areas not frequented by salmon, the use of only barbless trout flies and the rapid release of any salmon caught accidentally.

Similar concerns about current management approaches are expressed by the Labrador Outfitters' Association Inc., which notes that the 'Atlantic salmon is presently being managed predominantly by the individual license quota but this has proved to be less than adequate in achieving conservation requirements. Therefore, when runs aren't as plentiful on the low end of the salmon's natural cycle, rivers are closed, resident users and outfitters are both upset and economic benefits for commercial outfitting users are jeopardized for years to come. This problem can be easily overcome by allocations to both resident and commercial outfitting users'.

'(Our members) made it clear that the 1998 salmon management plan was... a political plan with no support from either a stock assessment or common sense point of view. Several tourism operators said that it would seriously detract from their businesses. It has also exacerbated difficulties between catch and retain vs. catch and release anglers... It was not based on forecasted returns to our rivers, which take into account the salmon spawning cycle. The experience this past summer confirmed all of these criticisms'. (Citizens Outdoor Rights Alliance)

Len Rich proposes another management tool, the designation of sensitive watersheds as "heritage waters". These would be subject to particularly stringent regulations 'which can include retention of only one fish, total hook and release, fly fishing only, using only barbless hooks and other specific conservation measures. (They) should also be totally closed to ice fishing or designated as "hook and release" to protect the resources before they are irreversibly lost'.

There is considerable discussion about catch and release. By way of example:

- Jed Sampson, Port au Port, considers that 'catch and release and barbless hooks (have been imposed) against the will of the majority of Newfoundland and Labrador anglers';

- Dave Barker wants a stop to the catch and release of Atlantic Salmon, not least because Newfoundlanders do not have enough training in it;

- The Bonavista and Gander Citizens Against Privatization has concerns about the mortality rates of released fish and calls for establishment of a "reasonable" quota for anglers. It considers barbless hooks of value, but wonders whether they are necessary when tags have not been filled, water temperatures are not conducive to catch and release, and novice anglers are trying to catch their first salmon; but

- Main River Lodge Ltd. calls on the government to encourage catch and release fishing.

There are also concerns about the trout population. Nelson W. Bennett is among those who want increased management and enhancement of trout while, as has been seen above (Section 4.7), the Salmonid Association of Eastern Newfoundland calls for the introduction of a trout license in order to provide data on the stocks and fishing effort. Allan R. Stein, president of the Natural History Society of Newfoundland and Labrador, also believes 'we must greatly reduce our catch of native trout, especially in the more accessible regions of the province'. However, Peter Anstey objects to changes in the winter trouting season which have reduced the possibility of ice fishing, and Peter J. King calls for an extension of the ice fishing season.

Some think that there is a need for a new allocation system for fishing licenses. The Natural History Society of Newfoundland and Labrador believes it may be necessary to have draws, similar to those for big game, for licenses and fishing days on the more popular salmon rivers. As was seen in Section 2.6, it recommends that quotas, limits or other controls upon access to crown lands and to harvesting of renewable resources apply equally to all residents of the province, and it goes on to cite the caribou and moose draws as 'an example of such a "fair system" of quotas and resource allocation'. And Main River Lodge Ltd. recommends that clubs and fishing organizations use salmon pool rotation, a standard practice in the Maritimes.

A last fisheries topic raised by a number of those consulted is the personal use cod fishery. Bob Peters, Rick Bouzan and others stress that it is, in Mr. Peters' words, 'not a villain' and does not warrant regulation and policing which 'is making criminals of ordinary citizens'. However, while recognizing that the cod fishery is under federal jurisdiction, Nelson W. Bennett suggests that the province introduce an organized recreational fishery, with licenses granted to professional fishers as operators and made available to all, and especially tourists, on a quota basis.

While the need to balance resident and non-resident allocations receives some consideration relative to fishing, and underlies much of the commentary on the effects of sportsfishing lodges (Section 5.4), it is much more to the fore in the discussion of hunting quotas. Presenters like the Bonavista and Gander Citizens Against Privatization and the Citizens Outdoor Rights Alliance are greatly concerned about the high proportion of big game licenses allocated to outfitters. Similarly, John Sheppard is concerned about 'increases to outfitters' quotas for big game, and even an attempt to open one area one month before the regular season for resident hunters', while Jed Sampson recommends that no more permits or licenses should be issued to outfitters, and Don Higdon proposes that outfitters only be given licenses for the more remote areas.

The Bill of Rights discussed by a number of presenters and briefs (see Section 2.5) contains specific provisions on the issue of non-resident quotas; it would limit big game outfitters to 10 per cent of the total harvestable moose and 25 per cent of the total harvestable caribou. Owen Myers states that, in contrast with these figures, the actual outfitter quota 'has reached as much as 40 per cent in some areas while resident license allocations declined'. However, the Main River Lodge Ltd. notes that 'resident hunters have more big game licenses available per capita than any other province (and) the success rate per big game hunter far exceeds any other province'.

Many of those involved in the consultation are concerned about over-hunting. For example, the Exploits River Management Association believes that 'some areas especially in Central Newfoundland... are being highly overhunted' while Dave Barker thinks that 'some areas of the province have been overhunted for years, (and) government must decrease licenses in these areas'

In other concerns related to big and small game regulations, licenses and quotas:

- Warren Blanchard notes that some hunters have male only licenses, while others who have either sex licenses generally prefer to shoot a bull, and he thinks this places excessive stress on the male moose population. Elwin Coish of Stephenville shares this concern, arguing that 'too many moose licenses have been issued in the past, especially in the bull-only category';

- Cyril Rogers calls for limits to the number of big game licenses awarded. He thinks that, in any year, only a single big game license should be issued to any one address, and only a single big game (i.e. moose, caribou or bear) license should be issued to any non-resident and

- Peter Anstey, of the Exploits River Management Association, notes that 'the snowshoe hare (rabbit) is a prime example of over-harvesting' and calls for rabbit licenses to include a limited number of tags, while C. Ralph Dawe thinks rabbit hunting should only be caught by using snares, rather than guns and dogs. Peter Anstey also recommends that hunting of the Spruce and Ruffled Grouse, 'a bird that is as tame as a barnyard chicken', be limited to snaring.

- Jed Sampson, Port au Port, calls for a reinstatement of the shooting test for big game license qualification. Without this, he believes, 'new applicants... will go into the hunt with a greater potential for wounding animals (and) posing a danger to... other hunters... and the general public'.

- The Bonavista and Gander Citizens Against Privatization considers the firearms licensing program to be one of a 'barrage of regulations and restrictions for those who desire access to the outdoors', while the Citizens Outdoor Rights Alliance sees it as another cost which contributes to Newfoundlanders being shut out of some of their favourite outdoor pursuits.

5.3 Winter and Sunday Hunting

There is extensive discussion of both the winter moose hunt and Sunday hunting. In the former case some, like Eric Bishop of St. Lawrence, see the extension to the hunting season as 'a very sensible decision... as for the comments that moose are harassed or chased by snowmobile, my view is that those who do so are very few... and those who do so should be dealt with other than by penalizing the honest hunter.' However, like many intervenors, he sees a need to deal with the issue of cow moose in calf, suggesting that 'after the first of December the hunt should be managed so that only bull moose be taken'.

For others, though, even this type of management initiative cannot be enough to make the winter hunt acceptable. For Peter Anstey 'the moose season is open much too early and interferes with the mating season. The recent change to extend the moose season... is another example of mismanagement. Now we are making it legal for people to chase moose with snowmachines. Once November begins and the animals shed their antlers, it is hard to discern males from females'. And Gene Manion of the Main River Lodge Ltd. is concerned that 'this policy is frowned upon by non-residents and environmental organizations. There does not seem to be any foundation for such a scheme other than political appeasement'.

Others are more vehement in their objections arguing, not the least, that the spectacle of the winter hunt could negatively affect the province's reputation:

- 'The idea of a winter moose hunt is appalling... Talk about bad publicity for this province... it'll surpass the video of sealers skinning still live animals'. (Stan Moeller, Stephenville)

- 'Having witnessed the results of the winter moose hunt in our area, we have concerns about this method of managing moose stocks. (It) is a legalized slaughter!... There has to be a better way'. (Bay St. George South Area Development Association)

- 'This new policy has been poorly thought out and should be reversed as soon as possible. It will be a hazard for people travelling in winter on skis or snowmobile and, as one person is recently quoted as saying in the Western Star... "What sport is there running down a moose in deep snow and then shooting it from close range". I and many other people agree. This could create a backlash much like the barbaric seal hunt. Better to stop this sooner rather than later'. (Keith Nicol, Corner Brook)

The Emerald Zone Corporation considers that 'issuing site specific licenses is... a better alternative... than extending the hunting season.'

There are similar differences of opinion about Sunday hunting, although it is noteworthy that some, like Jed Sampson of Port au Port, are for winter moose hunt extension but oppose Sunday hunting. For those who do support the Sunday hunt, it is convenient for hunters who have difficulty finding the time to pursue their interests. And it is also seen as bringing hunting in line with modern social trends; as Rick Bouzan puts it: 'as churches remain empty and stores stay open and all business continues, why can't I hunt on Sunday. Nothing is stopping this from becoming a reality now'.

Others have concerns, most commonly about the possible conflict with other outdoor users. Some believe such conflicts will be minimized by the different seasonal patterns of outdoor use; for instance, Marvin A. Barnes of St. John's thinks that 'the hunting season(s) are all too short at the best of times and I do not feel permitting Sunday hunting will in reality impact to any real extent with other seasonal activities such as berry-picking, etc., as these... are effectively finished for the year when the hunting season begins.' But others think it will be necessary to put limits on Sunday hunting. For example:

- Peter J. King, Corner Brook, notes that: 'The restriction is very inconvenient and costly to outdoor persons and retailers alike. You can buy beer and shop on Sundays, so why not hunt. I suggest beginning Sunday hunting when small game hunting season starts and the berry pickers are out of the woods' (Jacquelyn Handregan Scott makes a similar proposal);

- B.A. Hammett, Mount Pearl, suggests that 'the second half of the hunting season be made available for Sunday hunting... It would be a reasonable compromise between those (non-hunters) who want to go outdoors and the hunters. Further, this second half is likely to be the less pleasant (weatherwise) and therefore of potentially reduced interest to non-hunters'; and

- the Irish Loop Economic Development Board recommends that Sunday hunting should be permitted in 'certain areas'.

Yet others note that the number of non-hunters is increasing, and their interests getting more diverse, and that 'Sunday... is the only day of the week, during the entire fall and early winter, that non-hunters can feel safe to engage in (hiking, cross country skiing, mountain biking, kayaking, canoeing, swimming, photography, bird watching, identifying plants, insects and animals, berry-picking, and visiting geological and archaeological sites).' (Stan Moeller)

There is, lastly, some concern about the Labrador caribou hunt, with it being important that 'the recent introduction of an expanded Commercial Caribou Harvest... be handled with kid gloves to avoid any false perceptions in the international marketplace'. (Labrador Outfitters Association Inc.)

5.4 Sportfishing and Hunting Lodges

There has already been discussion of the economic value of lodges and non-resident fishing and hunting activity in Section 3.0. And, as was noted in Section 2.4, many participants in the consultation view the construction of sportsfishing and hunting lodges, and the buffer zones they are granted, as representing privatization or commercialization. The lodges are also seen as denying local residents their traditional access to resources:

- 'Private fishing lodges should not be built on river sections that the local population have historically used' (Don Higdon, Corner Brook)

- 'Citizens of this Province will find themselves barred off from the best salmon pools by a wealthy politically connected elite'. (Owen Myers)

- 'It is no way fair to the resident population if all of the better areas are dominated by the presence of commercial operations'. (David Tilley, Springdale)

- 'The goal (of government policy) is to maximize outfitters profit and bring in new money, no matter what the cost to the rights of the local users of the area'. (Newfoundland and Labrador Wildlife Federation)

'One of the most tangible pieces of evidence that government is supporting degradation of valued pristine space, and de facto privatization, is the clear cutting of building lots on the banks of prime salmon pools and the erection (largely with the support of public funds) of lodges designed to cater to high paying nonresident anglers' (Citizens Outdoor Rights Association)

These concerns were expressed both generally, and with respect to particular developments and locations. For example, Dr. Roland Bryans and Tom Hood are both concerned about the effects of a new lodge development on Long Pond which, in the words of the former, 'will have a devastating effect on the current cabin owners enjoyment of their recreational cabins'. Others are concerned about the Humber River. Owen Myers notes that 'a new outfitter lodge has been built smack on one of the best pools and in Sir Richard Squires Park at Big Falls is the chilling sight of a new 4000 sq foot outfitter lodge under construction 90% funded by government', while Reg Nichols of Corner Brook condemns the construction of 'lodges right on salmon pools (and) outfitting lodges practically in the suburbs of Corner Brook. Outfitters can give their clients far better value in their (traditional) remote areas'. (However, the Humber River Model River Planning Corporation note in their brief that there is a lot of misinformation about new lodge developments on the Humber.)

The issue here is not just the impact of lodges on rights of access. The Bonavista and Gander Citizens Against Privatization notes that this 'overcommercialization of our pristine areas' means that 'this once peaceful setting (is) now inundated with corporate lodges, helicopters and timberjacks'. There is also concern about the consequences for aboriginal people, leading the Labrador Metis Nation to state that 'the control of rivers by outfitters, for example, will not be tolerated when our ability to hunt, fish and use the land is impacted upon'.

For some intervenors, the best way to address these issues is to stop new lodge construction. The Bay St. George Sports Hunting & Fishing Association notes that despite the fact that 'the LGL report states that there is adequate lodge and hotel accommodations in the province... your government allows large numbers of lodge construction to occur', while for Jed Sampson of Port au Port the fact that 'presently we have an oversupply of outfitters and lodges (means) there must be no more permits or licenses

granted'.

There is also concern about the buffer zones around the lodges. Bill White, Lewisporte, notes that these zones cause 'over 15,000 square mile of this island (to be) under the control of outfitting lodges as far as cottage development is concerned... I have been informed that approximately 30 more lodges have been added to the number since last year, another 2700 square miles... (which) would put well over half of the land that could be used for recreational purposes under private control. Almost every prime location has been acquired by those people'.

The buffer zones policy is seen as being problematic both in and of itself, and in the ways it is being implemented. Gary Sargent thinks it is being applied 'in a rather draconian manner... I have had applications for crown leases turned down with a simple "it's within a buffer zone". Yet, no one can or will provide me with a copy of the document nor does anyone seem to be able to explain the myriad ways it's been applied'. And Dr. Bryans, writing about the new lodge on Long Pond, complains about the inconsistent application of this policy 'The buffer zone... significantly overlaps the buffer zone of (other) outfitters... How can this be? Obviously, different standards must exist for different applicants'.

But outfitters argue that buffer zones are needed to protect their long-term investment and future prospects:

- 'The buffer zone...presently is the only method of protection for the outfitter's operations and provides a reasonable area of isolation and minimum conflict with others, which is vital to support their businesses. Maintaining this buffer zone is necessary for these operations to survive'. (Len Rich)

- 'the industry must have a definite policy of reasonable protection in order to justify a long- term expenditure of funds for facilities... without an eight km. protection from other establishments, the outfitting industry will not flourish and large investments will be jeopardized. The policy will not restrict resident access and cannot be deemed to be "privatization"'. (Main River Lodge Ltd.)

Gene Manion of Main River Lodge Ltd. also calls for:

- a more stringent enforcement of controls within the buffer: 'In some instances squatters rights have been unjustifiably used to circumvent the buffer zone policy. Crown Lands must carefully scrutinize such applications with proper investigation at site to ensure that remnants of occupation actually exist'; and

- the government to 'continue to encourage improvement and upgrading of commercial outfitting camps so as to reach "high-end clientele" and establish an enviable reputation for this province as a quality wilderness destination'.

5.5 Parks and Reserves

A number of presentations and briefs make reference to the importance of the province's parks and reserves. In particular, there are calls for the province to establish a network of parks and reserves, and to implement its systems plan for protected areas.

In respect of the proposed network, Bruce Moores and John Michael Lannon believe that 'having a network of parks and reserves throughout Newfoundland and Labrador will help ensure the survival of all our plants and animals... A plan of action on how to establish this network should be a priority of the Government. As well, over the last few years, several proposed reserves have received a lot of attention

- the Torngats in Labrador, Little Grand Lake in western Newfoundland, and Ripple Pond on the Avalon. Quick attention by Government in granting these areas full protection would be a positive step'.

Similarly, the Humber Environment Action Group recommends that the government:

- 'Establish an adequate network of representative protected areas throughout Newfoundland and Labrador by the year 2000'; and

- 'Maintain the integrity of areas that are currently protected or are proposed for protection, including provincial parks, the proposed reserve at Little Grand Lake and the proposed Torngat National Park'.

'Less then two per cent of our province is protected in parks and reserves. I understand that Canada is committed to the United Nations guideline of protecting 12 per cent of one's territory for future generations to have an opportunity to experience wilderness ecosystems. The province seems to be going in reverse on protection... We are one of the last jurisdictions that still has significant areas of wilderness to save and yet we are abandoning our future generations for the almighty buck'. (Stan Moeller)

The Natural History Society of Newfoundland and Labrador provides a review of principles respecting the appropriate uses of the outdoors, including protected areas and preserves. It goes on to call on government to implement its systems plan for protected areas, as does Jon Lien in his brief to the Committee.

A lengthy brief by the Protected Areas Association of Newfoundland and Labrador discusses a wide range of concerns and presents a series of recommendations respecting government commitment, a natural area conservation strategy, marine conservation areas, endangered species legislation and three geographical areas (Torngat Mountains National Park, Little Grand Lake and Ripple Pond Ecological Reserve), calling for government action to preserve these areas. The call for a Little Grand Lake reserve is supported by the Western Newfoundland Model Forest Inc., while Keith Nicol recommends protection of the Blow Me Down - Serpentine - Lewis Hills area. He notes that 'this area has been repeatedly identified as a prime area for protection yet the government conveniently overlooks protected area status and instead allows it to be explored for minerals'.

Reflecting the concern about the privatization of provincial parks (see Section 2.4), numerous intervenors call for the remaining parks to be kept in public hands. Others speak of the importance of keeping the Newfoundland T'Railway in public ownership. And lengthy briefs by the Newfoundland T'Railway Council and Avalon T'Railway Corporation discuss such issues as access, competing uses, and resources and budgets.

5.6 All Terrain Vehicles, Snowmobiles and Seadoos

The main themes of the discussion of all terrain vehicles (ATVs), snowmobiles and seadoos are accessibility, conflict with other outdoor users, and negative effects on wildlife and the environment.

Some of the discussion of accessibility focuses on the recovery of big game using ATVs and (especially given an extended moose hunt) snowmobiles. Their use is seen as essential if hunting is going to take place in more remote areas. For example, Eric Bishop of St. Lawrence notes that 'there is no way of hunting big game on the Burin Peninsula, other than along the highway, under the present laws and legislation. Only the permitted use of ATVs, or an extended season to allow for snowmobile use (given limited snowmobiling season on the Burin Peninsula), will allow hunters to hunt otherwise inaccessible

areas'.

As in this case, this proposal is normally tempered by a recognition that ATV use must be limited. Eric Bishop is of the opinion that 'if the extended season is not reinstated... ATVs should be allowed for the retrieval of big game only', while for Jacquelyn Handregan Scott there should be 'a system which would allow big game hunters to use ATVs for the purpose of retrieval only'.

These proposals reflect a recognition of the damage ATVs can do to the physical environment, and especially wetlands. In further discussion of this topic, the Protected Areas Association notes that ATVs and snowmobiles have given accessibility to, and resulted in damage to, almost all areas of the province. And Stan Moeller thinks that the use of ATVs should be better regulated to further reduce environmental damage, and calls for special attention to be paid to the damage they, dirt bikes and four-wheel-drive vehicles can do to beaches and sand dunes.

However, there are other concerns about the impacts of these machines and snowmobiles on wildlife and the environment. David Tilley is among those concerned that snowmobiling threatens moose in remote breeding areas. In his words: 'the continued encroachment on these areas mean that fewer animals have the benefit of isolation and the entire population is thus at greater risk. If anything, legislation should be put in place to deter snowmobilers from using such areas for recreational pleasure'. Such concerns are also expressed with respect to the activities of outfitters, with the Main River Lodge Ltd. expressing the opinion that many of them 'are continuing to breach the ATV regulations by extensive use of these vehicles in transporting people and game in environmentally sensitive regions'.

'The proliferation of ATVs in recent years has wreaked untold and often irreparable damage on many outdoor areas of the province. It is essential that the authorities enact and enforce regulations governing the use of such machines. In addition, these machines have made possible access to areas which for years were remote, creating increased pressure on wildlife both flora and fauna and removing the haven that once enabled animals to have some relief from hunting pressure'. (Town of Bay de Verde)

There is clearly tension between these positions and that of the Newfoundland and Labrador Snowmobile Federation, which states in an extensive brief: 'we want, for our members and potential tourists, what we have had for years, total accessibility to any destinations that we so desire'. The Federation is in process of developing 'an Integrated Snowmobile Trail linking towns on the island portion of the province'. However, it also recognizes the need to increase and improve the regulation of activity, proposing various refinements to the Snowmobile Act and related regulations. These types of initiative are seen as necessary in achieving the considerable economic potential through winter tourism: 'Our province, as our people, is unique. Let's ensure we maintain this uniqueness and market ourselves as THE destination spot for snowmobilers and get a "slice of the pie"'.

Another important issue is use conflicts between motorized vehicles, like ATVs and snowmobiles, and hikers or skiers. Stan Moeller describes personal experiences of such interactions and goes on to suggest that the Newfoundland T'Railway consider having separate lanes for motorized and non-motorized users. He also calls for strict regulation of seadoos which can conflict with other users (e.g. swimmers and kayakers) and create noise and other forms of pollution. The East Coast Trail Association is among other groups concerned about the potential for conflicting use of trails, noting problems posed for its initiative, primarily designed for hiking, by ATVs, snowmobiles and mountain bikes. And the Avalon T'Railway Corporation indicates that development of the T'Railway on the Avalon Peninsula to allow safe ATV and snowmobile use is 'sorely lacking'.

5.7 Other Issues

The large numbers of oral and written presentations to the Committee contain a wide range of concerns, comments, proposals and recommendations. It is not possible to include all of these in a short consultation document; however, the following provide an indication of the types of additional input.

- Cottages: The Corner Brook Pulp and Paper Limited has a number of concerns with respect to the regulation of cottage development, describing the current system as 'inconsistent'. The East Coast Trail Association sees the need for a buffer zone, free of cottage development, along the trail. And Ron O'Driscoll calls for construction of commercial cottage developments. Building and maintaining of such cottage communities contributes to local economy.

- Forest Practices: The Natural History Society of Newfoundland and Labrador calls for modifications to forest practices: 'We must be prepared to leave tracts of land as mature forests to protect and preserve species, for example the pine martin and a number of cavity nesting birds that rely on mature forests', while C. Ralph Dawe wants all left over cuttings removed by cutting permit holders.

- Land Claims: Various primarily Labrador-based groups call for the settlement of Aboriginal land claims. In the words of the Sandwich Bay Watershed Management Authority, 'very little can be achieved unless we have answered the vital question of land ownership. Until (it) is settled, the people and the resources will continue to suffer'. But the Labrador Outfitters' Association Inc. notes that 'third party interests must be addressed in negotiating land claim agreements... there are many outfitters in Labrador which fall within the Aboriginal land claim areas'.

Appendix A1

PRESENTATIONS

Cartwright (October 13, 1998)
Churchill Falls (October 14, 1998)
Clarenville (October 5, 1998)
Gander (September 25, 1998)
Grand Falls-Windsor (September 25, 1998)
Happy Valley-Goose Bay (October 13, 1998)
Harbour Breton (September 23, 1998)
L'Anse au Clair (October 15, 1998)
Labrador City-Wabush (October 14, 1998)
Marystown (October 5, 1998)
Pasadena (October 1, 1998)
Port Saunders (October 2, 1998)
Springdale (September 23, 1998)
Stephenville (September 30, 1998)
St. Anthony(October 2, 1998)
St. John's (October 6, 1998)
Ferryland (October 19, 1998)
Placentia (October 6, 1998)

Appendix A2

BRIEFS SUBMITTED

Cartwright

Sandwich Bay Watershed Management Authority
Judy Pardy
Battle Harbour Regional Development Association
Yvonne Jones, M.H.A. Cartwright-L'Anse au Clair

Clarenville
Dr. Roland Bryans
Citizens Against River Privatization
Freshwater Alexander Bay Ecosystems Corporation (Fred Holloway)
Freshwater Alexander Bay Ecosystems Corporation (Austin Stewart)
Doug Dalton

Gander
Gander River Management Association
Gander Bay Indian Band Council
Donald Blackmore
Bonavista and Gander Citizens Against Privatization
Appleton Town Council
John Sheppard

Grand Falls-Windsor
Central Ready Mix Ltd and Central Precast Ltd. (Bill White)
Arthur King
Exploits River Management Association (Peter Anstey)
Jim Fancey
Dave Barker
Atlantic Quest Corporation (Gary Sargent)

Happy Valley-Goose Bay
John and Juanita Thomas
Joe Goudie
Friends of Gander River (Eldred Davis)

Marystown
Eric Bishop

Pasadena
Citizens Outdoor Rights Alliance
Humber Environment Action Group
Main River Lodge Ltd. (Gene Manion)
Western Newfoundland Model Forest Inc. (Dave Jennings)
Newfoundland and Labrador Snowmobile Federation
Humber River - Model River Planning Corporation
John Michael Lannon College of the North Atlantic (Dr. M. A. Roy)
Newfoundland T'Railway Council
Humber Natural History Society (Lois Bateman)
Corner Brook Pulp and Paper
Bay of Islands Rod & Gun Club (Gordon Wight)
Labrador outfitters Association (Anthony Maher)
Jim Taylor
Keith Nicol

Nelson Bennett
Warren Blanchard
Don Higdon
Reg Nichols
Peter J. King

Port Saunders
Derek Biggin
Parks Canada (Chip Bird)
Northwest Trackers Snowmobile Club (Bryan D. Pincent)

Springdale
Emerald Zone Corporation (Linda Brett)
David Tilley

Stephenville
The Marine & Mountain Zone Corporation
Bay St. George South Area Development Association
Bay St. George Sports Hunting and Fishing Association
S. Moeller
Elwin Coish
Cyril Rogers
Jed Sampson

St. Anthony
Ten Mile Lake Outfitters (Selwyn Genge)

St. John's
Protected Areas Association of Newfoundland and Labrador
Owen Myers
Newfoundland and Labrador Wildlife Federation (Gordon E. Cooper)
Newfoundland and Labrador Wildlife Federation (Gordon Wight)
Newfoundland and Labrador Wildlife Federation
Salmonid Council of Newfoundland & Labrador
Salmonid Association of Eastern Newfoundland (Trevor Davis)
Avalon T'Railway Corporation (Loyal R. Squires)
East Coast Trail Association
Town of Bay de Verde (Raymond Walsh)
Natural History Society of Newfoundland and Labrador Inc. (Allan R. Stein)
The Natural History Society of Newfoundland and Labrador (D. H. Steele)
Jon Lien
Maura Hanrahan
Mr. B. A. Hammett
Ron O'Driscoll
Len Rich
Bob Peters
Jacquelyn Handregan Scott
Marvin A. Barnes
C. Ralph Dawe
Tom Hood
Robert Buchanan

Rick Bouzan

Ferryland
Irish Loop Regional Economic Development Board
Chris Ryan

Other submissions
Tom Gillingham
Gene Mercer
Ronald Pomeroy
Labrador Angling Adventures Limited (Len Rich)
Labrador Metis Nation
Newfoundland and Labrador Per cent Environmental Alliance Inc. (Bernadette Vokey)

/

M95

VOLUME

VOLUME

2

Micromedia
ProQuest

20 Victoria Street
Toronto, Ontario M5C 2N8
Tel.: (416) 362-5211
Toll Free: 1-800-387-2689
Fax: (416) 362-6161
Email: info@micromedia.on.ca

Protecting the Legacy: Report of the Committee on the Use of Outdoor Resources
Volume 2: Committee Recommendations

Table of Contents

1.0 PROTECTING THE LEGACY

2.0 PRINCIPLES

3.0 OUTDOOR USE AND ECONOMIC DEVELOPMENT

4.0 THE MANAGEMENT OF OUTDOOR USE
4.1 Education and Consultation
4.2 Watershed Management
4.3 Planning
4.4 Enforcement and Monitoring

5.0 OUTDOOR USE ISSUES
5.1 Regulations Licenses and Quotas
5.2 Winter and Sunday Hunting
5.3 Sports fishing and Hunting Lodges
5.4 Parks and Reserves
5.5 All-Terrain Vehicles
5.6 Other Issues

6.0 CONCLUSION

Appendices:
A1 Summary of Recommendations

1.0 PROTECTING THE LEGACY

The range and quality of input received from individuals and groups across the province during the public consultation on the Use of Outdoor Resources has impressed the Committee. The briefs, transcripts and other materials generated by the consultation process provide a comprehensive and powerful picture of issues and concerns related to the use of the outdoors. It has made, and will continue to make, a valuable contribution to the management of our resources. The Committee would like to thank all those who participated in this process for their time and efforts.

The Committee has reviewed the many submissions made during the consultation, both formal and informal. All materials generated by the consultation have been the subject of a comprehensive and thorough internal review, and the Committee has discussed at length the complex issues involved. This review has led the Committee to reach a number of positions, and make a number of decisions, which are summarized below. These positions and decisions address many of the issues raised with respect to the use of outdoor resources, responding to concerns expressed in briefs and presentations to the Committee.

However, not all of the issues and concerns can be addressed at this time. Many of the issues raised are complex and overlapping. Some are highly contentious and require further review and deliberation. In some cases, there may also be a need for further consultation, scientific research or inter-governmental negotiation. All the input received through the consultation process will continue to be taken into consideration during such deliberations, and will make a further important contribution to decisions respecting the management of the Province's outdoor resources.

2.0 PRINCIPLES

Newfoundlanders and Labradorians have a special relationship with the outdoors. Our heritage has been built on the sea and the land. Wild natural resources, such as fish, game, birds and berries, are not only part of our diet and lifestyle, but they also underpin our culture and who we are as a people. And even though these resources have become less important to our day to day survival, they still have real economic significance to many citizens and are our most important form of recreation.

Newfoundlanders and Labradorians fish more, hunt more, spend more time snowmobiling and off-roading, and use the outdoors for berry picking and for firewood more than most other Canadians. The outdoor resources of the Province are an essential part of our lifestyle and have influenced historical attachments and settlement patterns. The thousands of lakes, hundreds of rivers, annual migrations of birds, herds of caribou, small game, large tracts of forested land, thousands of hectares of berry-laden barrens and rich seacoasts have led to a reliance upon these resources which in many ways continues today.

An important aspect of the use of these natural resources has been our easy access to them. This means more than simple proximity. It also means that the resources are common property, rather than owned by individual citizens. Resources were and are generally available to be harvested. While conservation requires that resources be managed and their use regulated, the common property nature of most of them has been preserved.

Citizens are able to move freely throughout most of this large Province without being subject to the restrictions that are found in other parts of Canada, where large tracts of land are in private ownership. Privately-owned land represents only 4.4 per cent of the total area of Newfoundland and Labrador, compared with 92 and 71 per cent in P.E.I. and Nova Scotia, respectively. Furthermore, some private land ownership in other provinces includes the right to own lakes, ponds and rivers. With two notable exceptions that occurred in the 1800's, Virginia Waters and part of a river in Conception Bay, this is not the case in Newfoundland and Labrador.

People in this Province have open access to Crown lands. As noted, most of this Province is not under private sector ownership. This gives a level of access that is unique in North America and unprecedented in large parts of the developed world.

In Newfoundland and Labrador, this and past Governments, have been deliberate in their efforts to avoid transferring the ownership of waterbodies to private sector interests. As a result, access to the Province's natural resources remain free and open. People can travel, hunt, fish and generally move throughout the countryside without having to be concerned with encountering privately owned waterbodies or their access to Crown lands being unnecessarily restricted. With the two exceptions noted earlier, all waterbodies in this Province have a reservation around them for public access.

This freedom of access also extends to the harvesting of big and small game. For example, big game licenses are shared amongst the Province's hunters so that all those wishing to hunt get an opportunity to

do so. While proper resource management dictates that every hunter may not get a license every year, those wanting to hunt are able to do so on a regular basis. As well, Government has agreed to change the regulations to allow persons with disabilities access to wild game. This change, which will be in effect for the 1999 season, has been cited as one of the most progressive pieces of hunting regulation in Canada.

Government has also been committed to preserving resident access to big game over non-residents. Access to the resource in accessible areas are highest for residents. Flying to remote camps to hunt for big game is a luxury that most Newfoundlanders and Labradorians can't afford. Recognizing this, the percentage of licenses for non-residents is lowest in areas frequented and preferred by local residents. This Government's policy is designed to preserve resident access to the resource while at the same time allowing some residents to garner a livelihood from outfitting.

The Committee feels that the proposals contained in this report, combined with the rights that citizens currently enjoy, provide for the continuation of a level of freedom and resource access that is unsurpassed in Canada. To strengthen and reassure residents of Government's resolve to continue to provide this level of access, the Committee proposes that Government restate and expand on the basic commitments that were presented in the Committee's consultation document:

Government Commitments Concerning the Use and Enjoyment of the Outdoors

- Our outdoor resources exist for the use and enjoyment of all citizens of Newfoundland and Labrador.

- It is not and never will be this Government's policy to privatize the outdoors.

- Access to our natural resources must be maintained, but not at the expense of conservation and sustainability. These principles are fundamental and not open to debate.

- It is possible to develop our tourism and economic potential through the use of our outdoor resources, but such development will not compromise access and use by Newfoundlanders and Labradorians.

- Government is committed to negotiating equitable land claims agreements with our Aboriginal peoples, settlement of which may affect the management of our outdoor resources in specific areas of the Province.

- The management of the Province's outdoors must be a fair and open process.

Conservation is clearly an overriding public concern respecting natural resource use and access. In that regard, Government announced on March 22, 1999 it would provide $1 million in seed funding to establish a conservation foundation for the Province. The Newfoundland and Labrador Legacy Nature Trust will assist the conservation efforts of environment and community groups in the Province by providing funding from sources these groups are not currently able to access.

Conservation must continue to be the main consideration in the management of all our outdoor resources. In the absence of effective management structures, wildlife populations and other resources cannot be sustained. Consequently, unimpeded access to these resources is not an acceptable option. Government has a stewardship and management responsibility for the Province's resources and the protection and conservation of wildlife resources must be a core element of its mandate. The Committee

further maintains that Government must continue to protect the legacy of its natural resources for this and future generations.

3.0 OUTDOOR USE AND ECONOMIC DEVELOPMENT

Many participants in the consultation spoke or wrote of the importance of establishing a balance between conservation, recreation and economic development (Volume 1: Section 3.0). This included discussion of the economic value of the outdoors and the best ways of balancing recreation and economic development. The Committee believes that it is both important and possible to achieve a balance of economic and social benefits from provincial resources. The Committee supports such a balance.

The economic value of the recreational use of the outdoors is considerable. For example, in 1996, approximately 373,000 residents of the Province used the outdoors for some form of recreation or activity such as swimming, sightseeing, camping, hiking, hunting, fishing and berry picking. While this activity was not restricted solely to this Province, the total value of the expenditures associated with these outdoor activities is substantial at almost $200 million.

At the same time, non-resident salmon fishing contributes about $8 million directly to the local economy, while big game camps contribute $28 million. Associated employment is estimated at about 1,600. The pulp and paper sector employs over 2,000 people and generates over $600 million in sales. The saw milling sector directly employs a similar number of people and produces over 90 million fbm of lumber with a value over $35 million. These uses of natural resources provides direct employment and significant support to the economy, especially in rural Newfoundland and Labrador.

There can and must be a balance of economic and social benefits. The economic realities of life across our Province means that resources must be utilized to the maximum sustainable level possible. From the Committee's perspective, sustainable development means creating employment while at the same time ensuring the ongoing health of the resource and access to it by residents. The Committee believes that Newfoundland and Labrador's outdoor resources provide opportunities for further development without compromising access for residents.

In one contentious area, the Committee noted that Government has already recognized and responded to the impact that small hydro developments can have on the environment. Environmentally sensitive hydro projects proposed for the Northwest and Southwest Rivers have been withdrawn by the proponents at the request of Government. Government is currently reviewing its energy policy including a study of its approach to small hydro developments.

4.0 THE MANAGEMENT OF OUTDOOR USE

Management was another important theme in the Use of Outdoor Resources consultations (Volume 1: Section 4.0). This included discussion of such issues as education, consultation, planning, enforcement, monitoring and funding, and included considerable discussion of the role of Government and others in watershed management. These issues, and the Committee's responses to them, are discussed below.

4.1 Education and Consultation

It was clear from the consultations that there is a need for an awareness campaign to ensure that Newfoundlanders and Labradorians know about their outdoor rights and the regulations currently in place in this Province which protect them. Government must also ensure that people of the Province

understand their outdoor resources, the importance of these resources, and why it is important to manage and utilize them effectively. Accordingly, the Committee recommends that:

- An outdoor rights section be included in the annual Hunting Guide providing an overview of what people are entitled to do in the Province's outdoors.

- Government's web site be expanded to contain current information on hunting, hunting regulations, related environmental issues and the use of the outdoors.

- Government undertake a review of existing public awareness programs and implement measures that will increase the general public's awareness. This is expected to include increased efforts in the Province's schools.

Ongoing consultation can make a critical contribution to effective management of the Province's outdoor resources. This conclusion has led the Committee to recommend that Government adopt the principle that regulation of the Province's outdoors must be a fair and open process (Section 2). Government has listened to the issues raised in the consultations and recognizes the importance of having a forum for public discussion and input into Government decision making process on outdoor resource issues. In accordance with this view the Committee recommends that:

- Government establish a permanent Outdoor Resources Ministerial Council which should consist of the Ministers of: Development and Rural Renewal (Chairperson); Forest Resources and Agrifoods; Tourism Culture and Recreation; Government Services and Lands; and, Environment and Labour. The Council would travel the Province soliciting input from the general public and interested groups. As well, the Ministerial Council, at the direction of the Lieutenant-Governor in Council, should be mandated to establish working groups to study issues that are of specific interest to the Council and the general public.

- Government ensure greater involvement of resource users in management through such initiatives as a more consultative watershed management process (see below) and changes to advisory groups to make them a more representative and responsive. In particular, the Department of Forest Resources and Agrifoods should assess the structure of the Inland Fish and Wildlife Advisory Council, including options for appointing members, and report back to Cabinet with its recommendations.

- Government engage in public consultation with respect to such issues as the development of a Natural Areas System Plan, which would serve to establish protected areas throughout the Province.

- Government conduct further consultation regarding the possible introduction of a conservation stamp. Any funds raised under such a program should go strictly to conservation projects and be at arms-length from Government. This concept received widespread support throughout the consultations and should be further investigated.

The consultative process for forest planning is already in place. The total allowable cut and harvest and silviculture practices are reviewed every five years. This plan is up for renewal within the next year. As part of the process, public consultations will be held throughout the Province.

4.2 Watershed Management

There was much discussion, during the Use of Outdoor Resources consultation process, of the merits and shortcomings of community watershed management (see, for example, Volume 1: Sections 2.4 and

4.2). This prompted the Committee to undertake a comprehensive review of Government's approaches and policies in this area.

The Committee has concluded that community watershed management continues to have great merit, primarily because it allows groups and individuals to actively participate in the management of a resource they value and have a vested interest in protecting. However, given the concerns of various interest groups and recognizing the importance of maintaining healthy watersheds, the Committee feels that Government should adopt the following positions:

- Government should be committed to sustainable management of inland fisheries resources on the basis of adequate science and appropriate ecological principles. It recognizes that watershed management initiatives must respect these and balance resident recreational opportunities with economic opportunities.

- Consistent with the principles outlined in Section 2, Government should ensure that water bodies are not privatized and that all residents of the Province have equal access to them.

- Government should retain decision-making authority, including, in respect of licences and fees, in the area of watershed management. In order to ensure that the interests of all residents of the Province are protected, Government should not delegate its decision making power to stakeholder groups and communities.

- Government should recognize that different river systems are best managed according to their particular requirements.

- Only one provincial license should be required for salmon angling and there should be no river specific licence fees.

- Government should seek public input on proposed watershed management plans and programs. No organization wishing to participate in the management process will be denied the opportunity to do so provided it is willing to act in accordance with the ground rules established for the conduct of affairs. Each management group should be required to develop and adopt a consultation plan to ensure that all interested groups have the opportunity to provide input.

- No new Community Watershed Groups should be created with concurrence of the Province until the federal government concludes a Memorandum of Understanding with the provincial government clarifying the respective government roles. Items expected to be covered in a MOU should include science, funding, enforcement, responsibilities and other related items.

4.3 Planning

The Committee recognizes that the planning process provides an important tool in managing our outdoor resources. In responding to concerns raised through this consultation, Government should examine a suitable framework for the development of resource/land use plans with the objective of streamlining its decision-making process and reducing conflicts on land use issues. Planning is needed to find help find a balance between forest development, industrial activity, recreation, hunting, fishing, and other outdoor resource uses.

Integrated Resource Planning is a process which encourages consultation between resource management agencies and private sector interests to plan for the future use of natural resources. Specifically:

- Integrated resource/land use planning requires that all levels of government cooperate in their planning initiatives. Government should place a priority on developing such plans for areas of high user conflict.

4.4 Enforcement and Monitoring

The need for adequate enforcement was raised throughout the consultations (see, especially, Section 4.6). The Committee recommends that:

- Government examine current enforcement measures and increase the level of cooperation between the different levels of government.

- Government evaluate its enforcement practices with the intent of increasing the effectiveness of enforcement efforts. This should include the possibility of establishing an enforcement unit that would conduct random raids throughout the Province.

The Committee recognizes that stakeholder groups and other volunteer organizations provide a valuable service in managing our natural resources, and accepts that they may wish to be involved in scientific assessment of stocks, enhancement projects and monitoring operations.

The Committee believes that adequate scientific understanding of our fish stocks is critical to their proper management and long-term sustainability. This requires appropriate and thorough stock assessments and other scientific studies by the federal government. However, the Department of Fisheries and Oceans' salmon management efforts are under-resourced and under-funded, while an active management plan for other freshwater species is virtually non-existent.

The Department of Fisheries and Oceans has not conducted systematic research on trout populations since the early 1980s, and little baseline information is available. And, as a prerequisite to adequate science and resource management, it needs to develop a lake classification system, conduct representative stock assessments of the various lake classes and conduct creel/harvest surveys.

The federal government has ultimate responsibility for this resource. However, as was the case with northern cod, residents of the Province will suffer the consequences of any decline in stocks. Accordingly:

- The Committee recommends that Government continue to request that the federal government deliver on their constitutional responsibility and that it increase scientific research related to the management of the Province's trout and salmon stocks.

5.0 OUTDOOR USE ISSUES

The consultation raised a number of issues related to the effects and regulation of outdoor related activity (Section 5.0). These included: regulations, licenses and quotas; winter and Sunday hunting; sportfishing and hunting lodges; parks and reserves; and, all-terrain vehicles. The Committee has reviewed these issues and presents the following responses.

5.1 Regulations, Licenses and Quotas

In response to the wide range of issues raised respecting hunting policies and regulations, the Committee feels that Government should reconsider them as part of its normal ongoing operational review. This

examination should consider, but not be limited to, re-reinstating the big game shooting test, and possibly requiring non-Canadian citizens to use a guide when hunting small game.

The Committee also recommends that Government undertake a special review of regulations in two areas: the use of aircraft and the use of the .22 calibre rifle. Specifically:

- Government should strengthen regulations and enforcement of laws that prohibit the use of aircraft for hunting purposes.

- It is recommended that the Department of Forest Resources and Agrifoods be directed to submit a proposal to Cabinet recommending a course of action regarding the current ban on the use of the .22 calibre rifle. This prohibition was introduced in 1963 in response to concerns about safety and poaching. However, this type of rifle is in use throughout North America and Labrador with no apparent effects on safety or poaching.

There was concern raised in the consultation that Government was intending to issue a trout license and that this would restrict access. In this regard, the Committee has been advised that Government has no intention of introducing a trout license.

5.2 Winter and Sunday Hunting

Winter and Sunday hunting emerged through the consultations as a particular area of concern (Section 5.3). In response to the input received by the Committee on the Use of Outdoor Resources, the Committee recommends that:

- Government review its policy on Sunday hunting, with consideration being given to the following options: (i) continuing the existing ban; (ii) allowing Sunday hunting for part of the year; and, (iii) allowing it throughout the hunting season. Government should conduct public consultations on this issue before it reaches a decision.

The consultations also showed that many people believe that big game populations would be over-exploited if an extended season was permitted. In response, Government moved quickly to resolve that issue. Effective October 16, 1998, the season was returned to durations similar to those adopted for the 1997-98 seasons. The Committee concurs with Government's actions and recommends that the extended hunting season not be reinstated.

5.3 Sportfishing and Hunting Lodges

Many individuals and groups have concerns respecting sportfishing and hunting lodges (Section 5.4). The buffer zones are exclusion zones for other camps and remote cottage development, however, the Committee notes that hunting, fishing and other activity are allowed within the zones. In response to the concerns raised in the Consultations, Government should review its existing policy with the intention of developing a new and transparent process for approving lodges, and report to Cabinet by the end of 1999.

It became clear in the consultations that people are concerned about access being restricted around water bodies. Government has advised the Committee that is has always been committed to providing access to the Province's waterways by providing a 10 metre reservation around all ponds and waterways. Given the concerns raised the following action is recommended:

- The buffer around waterways and ponds should be increased to 15 metres for new cottage and other developments, and a public access/right-of-way should be incorporated in any respective development plans.

5.4 Parks and Reserves

The Committee has reviewed the input received during the consultation with respect to provincial parks and reserves (Section 5.5). In the case of provincial parks, the following recommendations are made:

- Government should not lease anymore of its parks and should maintain its core network of 14 provincial parks, seven natural scenic attractions and the Newfoundland T'Railway. This network preserves key ecological sites and parks representing the regions of the Province.

- Government should continue to retain ownership of land in all parks, including those now under private sector management. In most cases the land is leased from the Government for a five-year term, with an option for renewal.

- The Department of Tourism, Culture and Recreation should review and report back to Cabinet on issues related to the T'Railway. These include conflicting uses, the timing of trail development and trail safety.

Government's vision for natural areas should entail the protection of large wilderness areas, representative examples of the full range of provincial ecosystems (including their natural features and processes) and rare natural phenomena. This would preserve the diversity and distinctiveness of the Province's rich natural heritage and provide for an ecologically sustainable future for the benefit of present and future generations. In pursuing this vision:

- The Department of Tourism, Culture and Recreation should develop a new Natural Areas System Plan to establish a system of ecological reserves throughout the Province. This Plan should be designed to preserve representation of all the Province's ecosystems and stimulate adventure and eco-tourism. It should also increase investment in the Province, by providing resource industries with greater certainty as to which land will to be available for use, and allow Government to better focus on priorities. The Plan should be subject to public consultations and, as necessary, further revisions.

- The Committee also shares the concerns expressed about the damage and loss of the Province's fossil resources. As such, the Committee recommends that the Historic Resources Act be amended by this Fall to ensure that fossil resources are not destroyed or looted.

5.5 All-Terrain Vehicles

The use of all-terrain vehicles (ATVs) to retrieve big game was extensively reviewed in the 1995 consultations of the ATV Use Regulations Review Committee, chaired by Don Whelan, MHA, which recommended permitting such use. Based on that review, and what the Committee on the Use of Outdoor Resources heard, it recommends that:

- Government allow the use of ATVs to retrieve big game and the appropriate regulations be drafted for the next hunting season. Restrictions on the use should include: (i) that the ATV is not to be used in an unapproved area until the animal is quartered and tagged; (ii) that a maximum of five trips be allowed to retrieve the animal; and, (iii) that no firearms be allowed in the possession of individuals transporting game. The Committee also recommends that the effects of the change in regulations be monitored and

that a review be conducted after two years. The preservation of the environment will remain central to the new regulations.

In recognition of the damage to the environment that ATVs can cause, all other regulations on their use will be maintained. Furthermore, in recognition of the damage that they can do to beaches and sand dunes and other sensitive areas, the Committee recommends that:

- Government should focus more attention on prohibiting the use of ATV's including dirt bikes and four-wheel-drive vehicles in sensitive areas.

5.6 Other Issues

The Committee notes that Government is continuing to press for the settlement of land claims. The recent Agreement in Principle with the Labrador Inuit Association illustrates Government's commitment to speedy resolution of land claims and negotiations for the Innu Nation are continuing.

6.0 CONCLUSION

The public consultation on the use of outdoor resources has made an important contribution to the management of the resources of this Province. The positions and decisions noted above are the direct result of the input received from large numbers of concerned Newfoundlanders and Labradorians. In particular, it is this input that has prompted Government's commitment to the continued involvement of resource users in the management process, including further public consultation on outdoor use issues. The Committee believes that public consultation is the best way of ensuring that the outdoor resources of this province are available for the greatest benefit for this and future generations. Government must be committed to protecting the legacy of outdoor resources that are found in this Province.

Appendix A1

Summary of Committee Recommendations

Recommendations Requiring Immediate Action

RECOMMENDATION # 1

It is recommended that Government restate and expand the commitments regarding outdoor rights that were originally presented in the Committee's consultation document.

Government Commitments Concerning the Use and Enjoyment of the Outdoors

- Our outdoor resources exist for the use and enjoyment of all citizens of Newfoundland and Labrador.

- It is not and never will be this Government's policy to privatize the outdoors.

- Access to our natural resources must be maintained, but not at the expense of conservation and sustainability. These principles are fundamental and not open to debate.

- It is possible to develop our tourism and economic potential through the use of our outdoor

resources, but such development will not compromise access and use by Newfoundlanders and Labradorians.

- Government is committed to negotiating equitable land claims agreements with our Aboriginal peoples, settlement of which may affect the management of our outdoor resources in specific areas of the Province.

- The management of the Province's outdoors must be a fair and open process.

RECOMMENDATION # 2

The Committee recommends that Government establish a Ministerial Council on the Use of Outdoor Resources that will hold public consultations. The Council would consist of the Ministers of: Development and Rural Renewal (Chairperson); Forest Resources and Agrifoods; Tourism Culture and Recreation; Government Services and Lands; and, Environment and Labour. The Council, upon the approval of the Lieutenant-Governor In Council, would set up working groups to study specific issues where it is deemed necessary.

RECOMMENDATION # 3

Given the demonstrated need for greater public awareness of outdoor resource issues, it is recommended that the Departments of Forest Resources and Agrifoods and Tourism Culture and Recreation be directed to prepare a public awareness campaign related to outdoor activities that would include the following initiatives:
1. the development of a web site related to outdoor recreational and hunting issues;
2. inclusion of an outdoor rights section in the annual Hunting Guide; and,
3. a review of existing public awareness programs and implement measures that will increase the general public's awareness.

RECOMMENDATION # 4

It is recommended that:
1. Government acknowledge it is committed to sustainable management of inland fisheries resources on the basis of adequate science and appropriate ecological principles. It recognizes that watershed management initiatives must respect these and balance resident recreational opportunities with economic opportunities.
2. Government ensure that water bodies are not privatized and that all residents of the Province have equal access to them.
3. Government retain decision-making authority, including in respect of licences and fees, in the area of watershed management. In order to ensure that the interests of all residents of the Province are protected, it not delegate its decision making power to stakeholder groups and communities.
4. Government recognize that different river systems are best managed according to their particular requirements.
5. Only one provincial license be required for salmon angling and there be no river specific licence fees.
6. Government seek public input on proposed watershed management plans and programs. No organization wishing to participate in the management process will be denied the opportunity to do so, provided it is willing to act in accordance with the ground rules established for the conduct of affairs. Each management group be required to develop and adopt a consultation plan to ensure that all interested groups have the opportunity to provide input.
7. No new Community Watershed Groups be authorized with concurrence of the Province until the

federal government concludes a Memorandum of Understanding with the provincial government clarifying the respective government roles. Items expected to be covered in a MOU include science, funding, enforcement and other related items.

RECOMMENDATION # 5

It is recommended that the Department of Forest Resources and Agrifoods assess the structure of the Inland Fish and Wildlife Advisory Council, including options for appointing members and reporting back to Cabinet with its recommendations.

RECOMMENDATION # 6

It is recommended that Government, through the Department of Forest Resources and Agrifoods, examine current enforcement measures and increase the level of cooperation between the different levels of government.

RECOMMENDATION # 7

It is recommended that Government evaluate its enforcement practices with the intent of increasing the effectiveness of enforcement efforts and that Government establish a unit of enforcement officers that would conduct random enforcement measures throughout the Province.

RECOMMENDATION # 8

It is recommended to Government that it strengthen regulations and enforcement of laws that prohibit the use of aircraft for hunting purposes.

RECOMMENDATION # 9

It is recommended that the Department of Forest Resources and Agrifoods be directed to examine the current ban on the use of the .22 calibre rifle on the Island and submit a proposal to Cabinet.

RECOMMENDATION # 10

It is recommended that Government not extend the winter hunt for big game.

RECOMMENDATION # 11

It is recommended that Government develop a more transparent and open policy on the approval of outfitting lodges.

RECOMMENDATION # 12

It is recommended to Government that the buffer around waterways be increased from 10 to 15 metres for new cottages and that for new developments a public access to waterways be built into the respective plan.

RECOMMENDATION # 13

It is recommended that Government proceed with the Natural Areas System Plan (NASP), subject to

appropriate consultation.

RECOMMENDATION # 14

It is recommended that that no additional parks be leased and that Government maintain its core network of 14 provincial parks, seven natural scenic attractions and the Newfoundland T'Railway.

RECOMMENDATION #15

To ensure that fossil resources in the Province are not destroyed or looted, it is recommended that Government amend the Historic Resources Act by the Fall of 1999 to make it illegal to remove fossils from sites found in the Province.

RECOMMENDATION # 16

It is recommended that Government allow ATV use for the retrieval of big game with the appropriate regulations being drafted for the next big game hunting season. Restrictions should include: (i) that the ATV is not to be used in an unapproved area until the animal is quartered and tagged; (ii) that a maximum of five trips be allowed to retrieve the animal; and (iii) that no firearms be allowed in the possession of individuals transporting game. The Committee also recommends that the effects of the change in regulations be monitored and that a review be conducted after two years.

RECOMMENDATION # 17

It is recommended that Government focus more attention on prohibiting the use of ATVs including dirt bikes and four-wheel-drive vehicles in sensitive areas such as beaches and sand dunes.

Recommendations Requiring Further Review

RECOMMENDATION # 18

Given the Constitutional responsibility of the federal government to manage salmon stocks, it is recommended that Government continue to aggressively pursue with the Federal Government improved science and assessments of the Province's salmon rivers.

RECOMMENDATION # 19

Given the Constitutional responsibility of the federal government to manage trout stocks, it is recommended that Government aggressively pursue with the federal government the development of an adequate plan for science and assessments of the Province's trout stocks.

RECOMMENDATION # 20

The Committee recommends that the Department of Government Services and Lands review its land use policy with the intention of placing a priority of developing land use plans for areas of high user conflict.

RECOMMENDATION # 21

It is recommended that Government review its overall hunting policy and regulations, including, but not limited to the following issues:
1. re-reinstating the big game shooting test; and,
2. possibly requiring non-Canadian citizens to use a guide when hunting small game.

RECOMMENDATION # 22

It is recommended that Government review the policy on Sunday Hunting and consider whether: (i) to continue the existing ban; (ii) to allow Sunday Hunting for part of the Year; or, (iii) to allow Sunday Hunting throughout the entire season. Public consultations should be held before a final decision is made on this issue.

RECOMMENDATION # 23

It is recommended that Government direct the Department of Tourism, Culture and Recreation to evaluate and report to Cabinet on issues related to the T'Railway. These include conflicting uses, the timing of trail development and trail safety.

RECOMMENDATION #24

It is recommended that Government conduct further consultation regarding the possible introduction of a Conservation Stamp. Any funds raised under such a program would go strictly to conservation projects and be administered at arms-length from Government.